

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appellants : Kevin D. Satterfield et al.
Application No. : 09/516,428 Confirmation No. : 3649
Filed : March 1, 2000
For : INTERACTIVE WAGERING SYSTEM WITH
CRITERIA WAGERING
Art Unit : 3628
Examiner : Akiba K. Robinson Boyce

Mail Stop Appeal Briefs - Patents
Hon. Commissioner for Patents New York, New York
P.O. Box 1450 November 18, 2008
Alexandria, Virginia 22313-1450

APPEAL BRIEF UNDER 37 C.F.R. § 41.37

Sir:

Appellants are filing this Appeal Brief in support of the September 8, 2008 Notice of Appeal from the rejection of claims 1-17, 19-50, and 52-67 in the final Office Action dated May 9, 2008.

The Director is hereby authorized to charge the appeal brief filing fee required under 37 C.F.R. § 41.20(b)(2) of \$540.00 to Deposit Account No. 06-1075 (Order No. 003043-0010).

The Director is also hereby authorized to charge any additional fees that may be due in connection with this Appeal Brief, or credit any overpayment of the same, to Deposit Account No. 06-1075 (Order No. 003043-0010).

In view of the arguments and authorities set forth below, the Board should find the rejection of claims

1-17, 19-50, and 52-67 to be in error, and the Board should reverse the rejection.

This Brief has the following appendices:

Claims Appendix

Appendix A: Copy of claims 1-17, 19-50, and 52-67 involved in this appeal;

Evidence Appendices

Appendix B: Copy of the final Office Action mailed May 9, 2008;

Appendix C: Copy of the Advisory Action mailed August 11, 2008;

Appendix D: Copy of Graves et al. U.S. Patent No. 5,830,067 (hereinafter "Graves"); and

Appendix E: Copy of Brenner et al. U.S. Patent No. 6,099,409 (hereinafter "Brenner").

Related Proceedings Appendix

None.

(i) Real Party in Interest

Appellants respectfully advise the Board that the real party in interest in the above-identified patent application is ODS Properties, Inc., a corporation organized and existing under the laws of the State of Delaware, and having an office and place of business at 6701 Center Drive West, Los Angeles, CA 90045, which is the assignee of this application.

(ii) Related Appeals and Interferences

Appellants respectfully advise the Board that there are no other appeals or interferences known to appellants, their legal representative, or their assignee that will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(iii) Status of Claims

Claims 1-17, 19-50, and 52-67 are finally rejected in this application and are on appeal. Claims 18 and 51 have been cancelled.

(iv) Status of Amendments

There have been no amendments filed subsequent to the May 9, 2008 final Office Action.

(v) Summary of Claimed Subject Matter

Independent claims 1 and 34 recite allowing a user to use an interactive wagering application to select desired wagering criteria (see, e.g., FIGS. 2 and 3 and page 30, line 7 - page 32, line 27). Racing data is received about a plurality of races (see, e.g., FIG. 1 and page 11, line 17 - page 12, line 23). The interactive wagering application determines whether a desired wagering opportunity exists by comparing at least a portion of the received racing data to the wagering criteria (see, e.g., page 2, lines 26-31 and page 39, lines 9-22). For example, the interactive wagering application may identify that a particular wagering opportunity exists when the received racing data includes a particular horse's name, racetrack

surface, or racetrack distance. The interactive wagering application is used to automatically take a particular action in response to determining that a desired wagering opportunity exists, wherein the particular action comprises at least providing a notification to the user that the desired wagering opportunity exists (see, e.g., page 39, line 8 - page 40, line 28).

Independent claims 29 and 32 recite providing a user with an opportunity to select a given horse using an interactive wagering application (see, e.g., FIG. 2 and page 30, line 7 - page 32, line 27). Racing data is received about a plurality of races (see, e.g., FIG. 1 and page 11, line 17 - page 12, line 23). The interactive wagering application determines if a given horse is to run in a race by comparing at least a portion of the received racing data to an identification of the given horse (see, e.g., FIGS. 5 and 6 and page 33, lines 17-29). The interactive wagering application is used to automatically provide a notification to the user that the horse is to run in a race and place a wager for that horse (see, e.g., page 2, lines 26-31 and page 39, line 8 - page 40, line 28).

(vi) Grounds of Rejection to be Reviewed on Appeal

The grounds of rejection to be reviewed on this appeal are:

a) the final rejection of claims 1-3, 14-17, 20, 26, 26, 34-36, 47-50, 53, 59, 60, 62, 63, 66, 67 under 35 U.S.C. § 102(b) as being anticipated by Graves and the final rejection of claims 4-13, 19, 21-25, 27, 28, 37-46,

52, 54-59, and 61 under 35 U.S.C. § 103(a) as being unpatentable over Graves in view of Brenner; and

b) the final rejection of claims 29-33, 64, and 65 under 35 U.S.C. § 103(a) as being unpatentable over Graves in view of Brenner.

(vii) Argument

A. Claims 1-17, 19-28, 34-50, 52-63, 66, and 67

Independent claims 1 and 34 were rejected under 35 U.S.C. § 102(b) as being anticipated by Graves.

Graves refers to an electronic or mechanical device that acts as an automated agent enabling clients to participate in games (e.g., bingo games) without being present at the site of the game. See Graves, Abstract, col. 2, lines 31-59. In one embodiment of Graves, the CPU may "query the client as to his preference of how he wants to make any necessary strategic decisions" about playing the game. See Graves col. 4, line 62 - col. 5, line 3. This information may then be saved to the player's preference file, and the proxy player machine may then automatically make certain decisions based on the data in each player's preference file. See Graves, col. 5, lines 3-21.

1. Graves Does Not Determine Whether A Desired Wagering Opportunity Exists by Comparing Received Racing Data to Desired Wagering Criteria

In Graves, a player has to manually seek out an opportunity to play a game. For example, Graves states that "when a client requests that he wants to purchase a chance, CPU fetches the directory, brief description, and the schedule of all available games from Record of Games" (col. 4, lines 55-58). After the player reviews the available games, the player "selects a game" (Graves, col. 4, line 59). Thus, rather than determining whether a wagering opportunity exists by comparing received data with desired wagering criteria, as recited by appellants' independent claims 1 and 34, a player of Graves' system must manually request the available games and then make a selection to play a certain game.

In order to show this claimed feature, the Examiner points to a section of Graves that refers to a proxy player machine. This proxy player machine can make "any necessary strategic decisions" on behalf of the player. Graves, col. 4, lines 63-66. For example, the proxy player machine may determine when to make changes in "the amount wagered per chance, when to make changes in the number or character of chances in play, etc., as a function of such variables as number of players, size of the prizes, number of correlations accumulated on each chance, etc." Graves, col. 4, line 64 - col. 5, line 4.

At no time, however, does Graves show or reasonable suggest that this proxy player machine determines whether a desired wagering opportunity actually exists. Moreover, there is no disclosure in Graves that shows or suggests making this determination by comparing received racing data to desired wagering criteria, as recited by independent claims 1 and 34. For example, a

user of appellants' invention may specify a horse and jockey combination as a desired wagering criteria. When the received racing data indicates that the specified horse and jockey combination is actually running in a race, a desired wagering opportunity may be determined to exist.

The Examiner appears to suggest that automatically making certain strategic wagering decisions on behalf of the user is akin to determining whether a desired wagering opportunity exists. See Advisory Action, page 2. Applicants disagree and submit that this interpretation is unreasonable. Although the proxy player machine may change the number and character of chances in play, the proxy player machine does not actually determine if a desired *wagering opportunity exists*. For example, using the bingo example described in Graves, the desired wagering opportunity would be bingo itself (or one particular bingo game within the bingo interface), not the number or character of chances in play. Rather, in Graves, the user manually determines what wagering opportunities exist by looking at a menu screen of available games. See Graves, col. 4, lines 55-58. As described above, after the menu screen of available games is displayed, the user must then manually select a game (e.g., bingo) to play. Making certain strategic decisions while already playing the manually selected game cannot be considered "determining whether a desired wagering opportunity exists," as recited by the independent claims.

For at least the foregoing reasons, appellants respectfully submit that independent claims 1 and 34 are allowable over Graves. Dependent claims 2-17, 19-28, 35-50, 52-63, 66, and 67, which include all the limitations of

one of independent claims 1 and 34, are allowable for at least the same reasons. Appellants respectfully request, therefore, that the Board overturn the rejection of independent claims 1 and 34 and dependent claims 2-17, 19-28, 35-50, 52-63, 66, and 67.

2. Graves Does Not Provide a
Notification to the User That the
Desired Wagering Opportunity Exists

In the final Office Action and Advisory Action, the Examiner points to two sections of Graves that allegedly show the interactive wagering application automatically taking a particular action in response to determining that a desired wagering opportunity exists, "wherein the particular action comprises at least providing a notification to the user that the desired wagering opportunity exists," as recited by independent claims 1 and 34. Appellants will address each of the two sections of Graves below.

i. Graves' Proxy Player Machine

The final Office Action and Advisory Action allege that the claimed notification to the user that a desired wagering opportunity exists is represented by "automatic wagering" in Graves because wagering cannot occur if the opportunity does not exist. See Final Office Action, page 16. While a wagering opportunity must exist in order to place a wager, Graves' proxy player machine does not automatically provide a notification to the user that a desired wagering opportunity exists, as recited in independent claims 1 and 34.

For example, Graves mentions that after a player selects a game, a record of what the player has purchased is stored in a player preference file. See Graves, col. 4, lines 55-63. This information stored in the player preference file may then be used to "customize information likely to be of value" to the player. *Id.* At no time, however, does Graves mention that information stored in a player preference file may be used to automatically provide a notification to the user that a desired wagering opportunity exists, as recited in independent claims 1 and 34.

First, as described above, a user of Graves must manually seek out wagering opportunities. There is no action taken automatically in Graves in response to determining that a desired wagering opportunity exists, as recited by independent claims 1 and 34. Second, the "automatic wagering" cited by the Examiner is used only to make wagering selections for the user after the user selects to play a game, not for providing notifications. Third, the results reported by the proxy player machine of Graves "report the results of the game after each ball draw or after the game is completed" (col. 6, lines 15-21, emphasis added). Graves' results reporting does not provide a notification that a desired wagering opportunity actually exists. Rather, at most the results provide a notification that a wagering opportunity has passed (*i.e.*, the game has completed) and the wagering opportunity no longer exists.

For at least these reasons, appellants believe that the Office Action's reliance on Graves' proxy player machine to show appellants' claimed automatic notification

in response to determining a desired wagering opportunity exists is misplaced. Appellants respectfully submit that independent claims 1 and 34 are allowable over Graves. Dependent claims 2-17, 19-28, 35-50, 52-63, 66, and 67, which include all the limitations of one of independent claims 1 and 34, are allowable for at least the same reasons. Appellants request, therefore, that the Board overturn the rejection of independent claims 1 and 34 and dependent claims 2-17, 19-28, 35-50, 52-63, 66, and 67.

ii. Graves' Free Samples of Games

The Examiner also contends that Graves' free samples of games show appellants' claimed automatic notification. See final Office Action, page 16. Appellants respectfully disagree. Graves provides "free samples of play of each available game if the client wishes to play them" (col. 6, lines 49-50). Even assuming *arguendo* that the free samples of games could be considered "wagering opportunities," there is nothing in Graves that shows or suggests that these free samples of each available game are automatically provided in response to determining that a desired wagering opportunity exists.

Graves states that at step 86 of FIG. 5, the proxy player machine may query the client about his "preferred games." Graves further states that at step 86 the proxy player machine may also "provide free samples of play of each available game." See Graves, col. 6, lines 42-65 (emphasis added). Because the free samples are provided at the same step where the user is queried about preferred games, the free samples are not be based on or provided in response to a client's selection of preferred

games. Furthermore, Graves explicitly states that the free samples are for "each available game" and not based on the user's preferred games. Moreover, Graves teaches using the selected preferred games at subsequent step 88 to determine whether the preferred games are dynamic decision games.

Thus, Graves teaches using the preferred games for a different purpose than applicants' claimed invention.

As such, applicants submit that there is no indication in Graves that these free samples are provided automatically in response to determining that a desired wagering opportunity exists. Moreover, as discussed above, there is no disclosure in Graves that shows or reasonable suggests determining that a desired wagering opportunity exists by comparing any received racing data to user selected wagering criteria, as recited by independent claims 1 and 34.

In view of the foregoing, Graves fails to show or suggest automatically providing a notification to the user that a desired wagering opportunity exists in response to a determination that a desired wagering opportunity exists by comparing received racing data to user selected wagering criteria as specified by appellants' claims 1 and 34. Neither the proxy player machine in Graves nor the free samples of play show or suggest each and every element of appellants' independent claims 1 and 34.

For at least the foregoing reasons, appellants respectfully submit that independent claims 1 and 34 are allowable over Graves. Dependent claims 2-17, 19-28, 35-50, 52-63, 66, and 67, which include all the limitations of one of independent claims 1 and 34, are allowable for at least the same reasons. Appellants respectfully request,

therefore, that the rejections of independent claims 1 and 34 and dependent claims 2-17, 19-28, 35-50, 52-63, and 66-67 be overturned by the Board.

B. Claims 29-33, 64, and 65

Independent claims 29 and 32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Graves in view of Brenner.

Independent claims 29 and 32 recite providing a user with an opportunity to select a given horse using an interactive wagering application. Racing data is received about a plurality of races. The interactive wagering application determines if a given horse is to run in a race by comparing at least a portion of the received racing data to an identification of the given horse. The interactive wagering application is used to automatically provide a notification to the user that the horse is to run in a race and place a wager for that horse.

Brenner refers to a system for interactive off-track wagering on races. See Brenner, Abstract. Menu options are provided for a user to select a desired racetrack, race, wager type, wager amount, and runners. See Brenner, col. 2, lines 48-54. A video and data distribution system may provide all the data and other information necessary to implement the wagering system. See Brenner, col. 4, lines 15-46.

In the Final Office Action, the Examiner alleges that it was obvious at the time of the invention to modify the system of Graves with the racetrack wagering as taught by Brenner to show appellants' claimed invention. See

Final Office Action, page 9. Even assuming *arguendo* that the system of Graves can be combined with the racetrack wagering of Brenner, appellants respectfully submit that neither Graves nor Brenner, alone or in combination, teaches automatically providing a notification to the user that a horse is about to run and placing a wager for the horse in response to determining that the horse is to run in at least one race. As described above, Graves' free samples of play and proxy player machine do not show or suggest appellants' claimed automatically provided notification that the horse is to run in a race. Accordingly, even if Graves' free samples of play and proxy player machine were modified based on Brenner's racetrack wagering, the combination would still not show or suggest each and every element of appellants' independent claims 29 and 32.

For at least the foregoing reason, appellants respectfully submit that independent claims 29 and 32 are allowable over Graves and Brenner. Appellants respectfully request, therefore, that the rejections of independent claims 29 and 32 and dependent claims 30, 31, 33, 64, 65 be overturned by the Board.

C. Conclusion

For the foregoing reasons, appellants submit that claims 1-17, 19-50, and 52-67 are allowable over the prior art of record. The Examiner's rejections of these claims should, therefore, be reversed.

Application No. 09/516,428
Final Office Action dated: May 9, 2008
Notice of Appeal dated: September 8, 2008
Appeal Brief dated: November 18, 2008

Respectfully submitted,

/Brian E. Mack/
Brian E. Mack
Registration No. 57,189
Agent for Appellants
Ropes & Gray LLP
Customer No. 75563

(viii) Claims Appendix

CLAIMS APPENDIX A
CLAIMS ON APPEAL

1. A method for interactive wagering with an interactive wagering application implemented using user equipment, comprising:

allowing a user at the user equipment to use the interactive wagering application to select desired wagering criteria;

receiving racing data about a plurality of races;

determining whether a desired wagering opportunity exists by comparing at least a portion of the received racing data to the wagering criteria; and

using the interactive wagering application to automatically take a particular action in response to determining that a desired wagering opportunity exists, wherein the particular action comprises at least providing a notification to the user that the desired wagering opportunity exists.

2. The method defined in claim 1 further comprising using the interactive wagering application to provide the user with an opportunity to select which particular action is taken whenever the wagering criteria are satisfied.

3. The method defined in claim 1 wherein the interactive wagering application is implemented using user television equipment, the method further comprising using the interactive wagering application implemented on the user television equipment to determine whether the wagering criteria are satisfied.

4. The method defined in claim 1 further comprising using the interactive wagering application to provide the user with an opportunity to select a particular racetrack as one of the wagering criteria.

5. The method defined in claim 1 further comprising using the interactive wagering application to provide the user with an opportunity to select a particular horse as one of the wagering criteria.

6. The method defined in claim 1 further comprising using the interactive wagering application to provide the user with an opportunity to select a particular horse as one of the wagering criteria by searching for a desired horse with an on-screen user interface that allows the user to enter a search character string with a remote control.

7. The method defined in claim 1 further comprising using the interactive wagering application to provide the user with an opportunity to select a particular jockey as one of the wagering criteria.

8. The method defined in claim 1 further comprising using the interactive wagering application to

provide the user with an opportunity to select a particular trainer as one of the wagering criteria.

9. The method defined in claim 1 further comprising using the interactive wagering application to provide the user with an opportunity to select a particular track surface as one of the wagering criteria.

10. The method defined in claim 1 further comprising using the interactive wagering application to provide the user with an opportunity to select a particular race distance as one of the wagering criteria.

11. The method defined in claim 1 further comprising using the interactive wagering application to provide the user with an opportunity to select a particular racing statistic as one of the wagering criteria.

12. The method defined in claim 1 further comprising using the interactive wagering application to provide the user with an opportunity to select a particular silk color as one of the wagering criteria.

13. The method defined in claim 1 further comprising using the interactive wagering application to provide the user with an opportunity to select a particular amount by which the odds for a horse change from that horse's morning line odds as one of the wagering criteria.

14. The method defined in claim 1 further comprising providing the user with an opportunity to select whether the action taken involves the automatic placing of a wager whenever the wagering criteria are satisfied.

15. The method defined in claim 1 wherein the action taken involves the automatic placing of a wager whenever the wagering criteria are satisfied, the method further comprising providing the user with an opportunity to select a wager amount and wager type associated with the wagering criteria prior to the automatic placing of the wager.

16. The method defined in claim 1 wherein there are multiple sets of wagering criteria established by the user each with an associated action to be taken when that set of wagering criteria is satisfied, the method further comprising providing the user with an opportunity to select a different wager amount and wager type for each of the multiple sets of wagering criteria.

17. The method defined in claim 1 further comprising providing different user interfaces with the wagering application for selecting different types of wagering criteria.

18. (Canceled)

19. The method defined in claim 1 wherein the action taken involves notification of the user at a set-top box connected to a television, the method further comprising notifying the user by displaying a partial-screen overlay message on top of a screen currently being displayed on the television.

20. The method defined in claim 1 wherein the action taken involves notification of the user, the method

further comprising notifying the user that the wagering criteria have been satisfied using an e-mail message.

21. The method defined in claim 1 wherein the action taken involves notification of the user, the method further comprising notifying the user that the wagering criteria have been satisfied using a wireless message.

22. The method defined in claim 1 wherein the action taken involves notification of the user at a set-top box connected to a television, the method further comprising notifying the user that the wagering criteria have been satisfied by displaying a message on the television.

23. The method defined in claim 1 further comprising using the wagering application to provide a display screen containing a summary of which types of wagering criteria have been established.

24. The method defined in claim 1 further comprising using the wagering application to provide a display screen containing a summary of which types of wagering criteria have been established, wherein the summary includes information on wager amounts and wager types that the user has established for use whenever various sets of wagering criteria are satisfied.

25. The method defined in claim 1 further comprising:

using the wagering application to provide a display screen containing a summary of which types of

wagering criteria have been established, wherein the summary includes information on wager amounts and wager types that the user has established for use whenever various sets of wagering criteria are satisfied; and

displaying wagering criteria details for a given one of the sets of wagering criteria when the user selects that set from the summary.

26. The method defined in claim 1 further comprising using the wagering application to limit automatic wagering based on monetary wagering limits.

27. The method defined in claim 1 further comprising:

providing the user with an opportunity to select a desired monetary wagering limit; and

using the wagering application to limit automatic wagering based on the monetary wagering limit.

28. The method defined in claim 1 further comprising using the wagering application to provide the user with an opportunity to select an expiration time for automatic wagering.

29. A method for interactive wagering on horse races with an interactive wagering application implemented using a set-top box connected to a television, comprising:

providing a user with an opportunity to select a given horse using the interactive wagering application;

receiving racing data about a plurality of races;

determining if the given horse is to run in at least one race by comparing at least a portion of the received racing data to an identification of the given horse; and

automatically providing a notification to the user that the horse is to run in the at least one race and placing a wager for the given horse in response to determining that the given horse is to run in the at least one race.

30. The method defined in claim 29 further comprising providing the user with an opportunity to select the amount of the wager and the wager type with the interactive wagering application.

31. The method defined in claim 29 further comprising:

providing the user with an opportunity to select multiple horses using the wagering application; and

automatically placing wagers for each horse when it is determined that the horse is to run in a particular race.

32. An interactive wagering system in which an interactive wagering application is used to provide a user with an opportunity to place wagers on races to be run, comprising:

user television equipment configured to:

provide the user with an opportunity to select a given horse using the interactive wagering application;

receive racing data about a plurality of races;

determine if the given horse is to run in at least one race by comparing at least a portion of the received racing data to an identification of the given horse; and

automatically provide a notification to the user that the horse is to run in the at least one race and place a wager for the given horse in response to determining that the given horse is to run in the at least one race; and

a transaction processing and subscription management system that handles the automatically placed wager.

33. The interactive wagering system defined in claim 32 further comprising user computer equipment separate from the user television equipment, wherein the interactive wagering application notifies the user at the

user computer equipment by e-mail when the automatic wager has been placed.

34. A computer-readable medium for use in an interactive wagering system, the computer-readable medium comprising computer-readable instructions recorded thereon for:

allowing a user to select desired wagering criteria;

receiving racing data about a plurality of races;

determining whether a desired wagering opportunity exists by comparing at least a portion of the received racing data to the wagering criteria; and

automatically taking a particular action in response to determining that a desired wagering opportunity exists, wherein the particular action comprises at least providing a notification to the user that the desired wagering opportunity exists.

35. The computer-readable medium defined in claim 34 further comprising computer-readable instructions recorded thereon for providing the user with an opportunity to select which particular action is taken whenever the wagering criteria are satisfied.

36. The computer-readable medium defined in claim 34 wherein the computer-readable medium is used with user television equipment.

37. The computer-readable medium defined in claim 34 further comprising computer-readable instructions recorded thereon for providing the user with an opportunity to select a particular racetrack as one of the wagering criteria.

38. The computer-readable medium defined in claim 34 further comprising computer-readable instructions recorded thereon for providing the user with an opportunity to select a particular horse as one of the wagering criteria.

39. The computer-readable medium defined in claim 34 further comprising computer-readable instructions recorded thereon for providing the user with an opportunity to select a particular horse as one of the wagering criteria by searching for a desired horse with an on-screen user interface that allows the user to enter a search character string with a remote control.

40. The computer-readable medium defined in claim 34 further comprising computer-readable instructions recorded thereon for providing the user with an opportunity to select a particular jockey as one of the wagering criteria.

41. The computer-readable medium defined in claim 34 further comprising computer-readable instructions recorded thereon for providing the user with an opportunity to select a particular trainer as one of the wagering criteria.

42. The computer-readable medium defined in claim 34 further comprising computer-readable instructions recorded thereon for providing the user with an opportunity to select a particular track surface as one of the wagering criteria.

43. The computer-readable medium defined in claim 34 further comprising computer-readable instructions recorded thereon for providing the user with an opportunity to select a particular race distance as one of the wagering criteria.

44. The computer-readable medium defined in claim 34 further comprising computer-readable instructions recorded thereon for providing the user with an opportunity to select a particular racing statistic as one of the wagering criteria.

45. The computer-readable medium defined in claim 34 further comprising computer-readable instructions recorded thereon for providing the user with an opportunity to select a particular silk color as one of the wagering criteria.

46. The computer-readable medium defined in claim 34 further comprising computer-readable instructions recorded thereon for providing the user with an opportunity to select a particular amount by which the odds for a horse change from that horse's morning line odds as one of the wagering criteria.

47. The computer-readable medium defined in claim 34 further comprising computer-readable instructions

recorded thereon for providing the user with an opportunity to select whether the action taken involves the automatic placing of a wager whenever the wagering criteria are satisfied.

48. The computer-readable medium defined in claim 34 wherein the action taken involves the automatic placing of a wager whenever the wagering criteria are satisfied, the computer-readable medium further comprising machine-readable instructions recorded thereon for providing the user with an opportunity to select a wager amount and wager type associated with the wagering criteria prior to the automatic placing of the wager.

49. The computer-readable medium defined in claim 34 wherein there are multiple sets of wagering criteria established by the user each with an associated action to be taken when that set of wagering criteria is satisfied, the computer-readable medium further comprising computer-readable instructions recorded thereon for providing the user with an opportunity to select a different wager amount and wager type for each of the multiple sets of wagering criteria.

50. The computer-readable medium defined in claim 34 further comprising computer-readable instructions recorded thereon for providing different user interfaces for selecting different types of wagering criteria.

51. (Canceled)

52. The computer-readable medium defined in claim 34 wherein the action taken involves notification of

the user at a set-top box connected to a television, the computer-readable medium further comprising machine-readable instructions recorded thereon for notifying the user by displaying a partial-screen overlay message on top of a screen currently being displayed on the television.

53. The computer-readable medium defined in claim 34 wherein the action taken involves notification of the user, the machine-readable medium further comprising computer-readable instructions recorded thereon for notifying the user that the wagering criteria have been satisfied using an e-mail message.

54. The computer-readable medium defined in claim 34 wherein the action taken involves notification of the user, the computer-readable medium further comprising machine-readable instructions recorded thereon for notifying the user that the wagering criteria have been satisfied using a wireless message.

55. The computer-readable medium defined in claim 34 wherein the action taken involves notification of the user at a set-top box connected to a television, the computer-readable medium further comprising machine-readable instructions recorded thereon for notifying the user that the wagering criteria have been satisfied by displaying a message on the television.

56. The computer-readable medium defined in claim 34 further comprising computer-readable instructions recorded thereon for providing a display screen containing

a summary of which types of wagering criteria have been established.

57. The computer-readable medium defined in claim 34 further comprising computer-readable instructions recorded thereon for providing a display screen containing a summary of which types of wagering criteria have been established, wherein the summary includes information on wager amounts and wager types that the user has established for use whenever various sets of wagering criteria are satisfied.

58. The computer-readable medium defined in claim 34 further comprising computer-readable instructions recorded thereon for:

providing a display screen containing a summary of which types of wagering criteria have been established, wherein the summary includes information on wager amounts and wager types that the user has established for use whenever various sets of wagering criteria are satisfied; and

displaying wagering criteria details for a given one of the sets of wagering criteria when the user selects that set from the summary.

59. The computer-readable medium defined in claim 34 further comprising computer-readable instructions recorded thereon for limiting automatic wagering based on monetary wagering limits.

60. The computer-readable medium defined in claim 34 further comprising computer-readable instructions recorded thereon for:

providing the user with an opportunity to select a desired monetary wagering limit; and

limiting automatic wagering based on the monetary wagering limit.

61. The computer-readable medium defined in claim 34 further comprising computer-readable instructions recorded thereon for providing the user with an opportunity to select an expiration time for automatic wagering.

62. The method of claim 1 further comprising allowing the user to place a wager on the desired wagering opportunity in response to providing the notification.

63. The method of claim 1 wherein providing a notification to the user that the desired wagering opportunity exists comprises automatically providing the notification at substantially the same time that it is determined that the desired wagering opportunity exists.

64. The method of claim 29 wherein providing a notification to the user that the horse is to run comprises automatically providing the notification at substantially the same time that it is determined that the given horse is to run in the at least one race.

65. The interactive wagering system of claim 32 wherein the user television equipment is configured to

provide the notification to the user that the horse is to run at substantially the same time that it is determined that the given horse is to run in the at least one race.

66. The computer-readable medium of claim 34 further comprising computer-readable instructions recorded thereon for allowing the user to place a wager on the desired wagering opportunity in response to providing the notification.

67. The computer-readable medium of claim 34 further comprising computer-readable instructions recorded thereon for automatically providing the notification at substantially the same time that it is determined that the desired wagering opportunity exists.

(ix) Evidence Appendix

EVIDENCE APPENDIX B
COPY OF THE FINAL OFFICE ACTION MAILED MAY 9, 2008



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/516,428	03/01/2000	Kevin D. Satterfield	ODS-10	3649

75563 7590 05/09/2008
ROPES & GRAY LLP
PATENT DOCKETING 39/361
1211 AVENUE OF THE AMERICAS
NEW YORK, NY 10036-8704

RECEIVED

MAY 21 2008

ROPES & GRAY LLP - PATENT DEPT.
REFERRED TO _____
NOTED BY _____

EXAMINER

ROBINSON BOYCE, AKIBA K

ART UNIT PAPER NUMBER

3628

MAIL DATE DELIVERY MODE

05/09/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

File No.: ODS/010
Action Desc. Final Office Action Due
Due Date: August 9, 2008
By: ALAC

File No.: ODS/010
Action Desc. Notice of Appeal Due
Due Date: Nov. 9, 2008
By: ALAC

Office Action Summary	Application No. 09/516,428	Applicant(s) SATTERFIELD ET AL.	
	Examiner AKIBA K. ROBINSON BOYCE	Art Unit 3628	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 04 February 2008.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-17, 19-50 and 52-67 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-17, 19-50 and 52-67 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892) 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ 5) <input type="checkbox"/> Notice of Informal Patent Application 6) <input type="checkbox"/> Other: _____
--	--

DETAILED ACTION

Status of Claims

1. Due to communications filed 2/4/08, the following is a final office action. Claims 1, 29, 32, 34-50, and 52-61 have been amended. Claims 18 and 51 have been cancelled. Claims 62-67 have been added. Claims 1-17, 19-50 and 52-67 are pending in this application and have been examined on the merits. The previous rejection has been adjusted to reflect claim amendments. Claims 1-17, 19-50 and 52-67 are rejected as follows.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 14-17, 20, 26-27, 34-36, 47-50, 53, and 59-60, 62, 63, 66, 67 are rejected under 35

U.S.C. 102(b) as being anticipated by Graves et al. (US 5,830,067).

As for Claim 1 :

Graves et al. disclose a method for interactive wagering on races comprising: allowing a user to access an interactive wagering service to select desired wagering criteria (col. 4, lines 17-42; col. 4, line 55- col. 5, line 21; col. 6, line 58 - col. 7, line 4; see Fig. 1);

receiving racing data about a plurality of races, (Col. 4, lines 55-55, fetches and sends directory and schedule of all available games to the client);

determining whether a desired wagering opportunity exists by comparing at least a portion of the received racing data to the wagering criteria, (Col. 4, line 55-Col. 5, line-18, when client requests that he wants to purchase a chance, information accumulated into a Player Preference File, and used to customize information likely to be of value for client making wagers/deciding if results of game correlate with recorded cards/proxy machine makes decisions on how to wager based on information in Player Preference File); and

using the interactive wagering application to automatically take a particular action (automatically placing a wager) in response to determining that desired wagering opportunity exists, where in the particular action comprises at least providing a notification to the user that the desired wagering opportunity exists (see Supra and Figs. 1-4, in this case, the notification is represented by automatic wagering since when this occurs, the user knows that the wagering opportunity exists since wagering can not occur if the opportunity does not exist and also in Col. 6, line 58-Col. 7, line 4, providing free samples of the game).

- As for Claim 2: Graves et al. further discloses the method including using the application to provide the user with an opportunity to select which particular action is taken whenever the wagering criteria are satisfied (Id.);

- As for Claim 3: Graves et al. further discloses the method including using user television equipment, using the application on the user television equipment to

determine whether the wagering criteria are satisfied (see Col. 1, lines 27-33);

- As for Claim 14: Graves et al. further discloses the method including providing the user with an opportunity to select whether the action taken involves the automatic placing of a wager (col. 4, lines 17-42; col. 4, line 55 - col. 5, line 21; col. 6, line 58 - col. 7, line 4);

- As for Claim 15: Graves et al. further discloses the method wherein the action taken involves the automatic placing of a wager, the method further including providing the user with an opportunity to select a wager amount and amount type (Id.);

- As for Claim 16: Graves et al. further discloses the method wherein there are multiple sets of wagering criteria established by the user, each with an associated action to be taken (col. 2, lines 39-43, playing multiple games), the method further including providing the user with an opportunity to select a different wager amount and wager type for each of the multiple sets of wagering criteria (col. 2, line 63 - col. 3, line 7);

- As for Claim 17: Graves et al. further discloses the method including providing different user interfaces with the wagering application for selecting different types of wagering criteria (Id.);

- As for Claim 20: Graves et al. further discloses the method including notifying the user that the wagering criteria have been satisfied using an e-mail (col. 6, lines 22- 41);

- As for Claim 26: Graves et al. further discloses the method including using the wagering application to limit automatic wagering based on monetary wagering limits (see Fig. 3 and the description thereof);

- As for Claim 27: Graves et al. further discloses the method including providing the user with an opportunity to select a desired monetary wagering limit; and using the wagering

application to limit automatic wagering based on the monetary wagering limit (Id.);

As for Claim 34:

Graves et al. disclose a computer-readable medium comprising instructions for:

allowing a user to select desired wagering criteria (col. 4, lines 17-42; col. 4, line 55 - col. 5, line 21; col. 6, line 58 - col. 7, line 4; see Fig. 1);

receiving racing data about a plurality of races, (Col. 4, lines 55-55, fetches and sends directory and schedule of all available games to the client);

determining whether a desired wagering opportunity exists by comparing at least a portion of the received racing data to the wagering criteria, (Col. 4, line 55-Col. 5, line-18, when client requests that he wants to purchase a chance, information accumulated into a Player Preference File, and used to customize information likely to be of value for client making wagers/deciding if results of game correlate with recorded cards/proxy machine makes decisions on how to wager based on information in Player Preference File); and

automatically taking a particular action (automatically placing a wager) in response to determining that a desired wagering opportunity exist, wherein the particular action comprises at least providing a notification to the user that the desired wagering opportunity exists, (see Supra and Figs. 1-4, in this case, the notification is represented by automatic wagering since when this occurs, the user knows that the

wagering opportunity exists since wagering can not occur if the opportunity does not exist and also in Col. 6, line 58-Col. 7, line 4, providing free samples of the game).

- As for Claim 35: Graves et al. further discloses the medium including using the application to provide the user with an opportunity to select which particular action is taken whenever the wagering criteria are satisfied (Id.);
- As for Claim 36: Graves et al. further discloses the medium wherein the medium is used with user television equipment (see Supra);
- As for Claim 47: Graves et al. further discloses the medium including providing the user with an opportunity to select whether the action taken involves the automatic placing of a wager (col. 4, lines 17-42; col. 4, line 55 - col. 5, line 21; col. 6, line 58 - col. 7, line 4);
- As for Claim 48: Graves et al. further discloses the medium, wherein the action taken involves the automatic placing of a wager, the medium further including providing the user with an opportunity to select a wager amount and amount type (Id.);
- As for Claim 49: Graves et al. further discloses the medium wherein there are multiple sets of wagering criteria established by the user, each with an associated action to be taken (col. 2, lines 39-43, playing multiple games), the medium further including providing the user with an opportunity to select a different wager amount and wager type for each of the multiple sets of wagering criteria (col. 2, line 63 - col. 3, line 7);
- As for Claim 50: Graves et al. further discloses the medium including providing

different user interfaces with the wagering application for selecting different types of wagering criteria (Id.);

- As for Claim 53: Graves et al. further discloses the medium including notifying the user that the wagering criteria have been satisfied using an e-mail (col. 6, lines 22- 41);

- As for Claim 59: Graves et al. further discloses the medium including using the wagering application to limit automatic wagering based on monetary wagering limits (see Fig. 3 and the description thereof); and

- As for Claim 60: Graves et al. further discloses the medium including providing the user with an opportunity to select a desired monetary wagering limit; and using the wagering application to limit automatic wagering based on the monetary wagering limit (Id.).

-As for claims 62, 66, Graves discloses:

allowing the user to place a wager on the desired wagering opportunity in response to providing the notification, (Col. 6, line 58-Col. 7, line 4, after providing free samples of the game, determining if client wishes to play a game that requires dynamic responses).

-As for claims 63, 67, Graves discloses:

wherein providing a notification to the user that the desired wagering opportunity exists comprises automatically providing the notification at substantially the same time that it is determined that the desired wagering opportunity exists, (See Supra, Fig. 1, and Col. 6, line 58-Col. 7, line 4).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3628

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4-13, 19, 21-25, 29-33, 37-46, 52 and 54-58, 64, 65, are rejected under 35 U.S.C. 103(a) as being unpatentable over Graves et al. as applied to claims 1 and 34

above, and further in view of Brenner et al. (US 6,099,409).

As for Claims 4-13, 37-46:

Graves et al. discloses the invention as recited earlier but does not expressly disclose the invention including:

providing the user with an opportunity to select a particular racetrack - Claims 4 and 37; to select a particular horse - Claims 5 and 38; to search for a desired horse with a remote control - Claims 6 and 39; to select a particular jockey - Claims 7 and 40; to select a particular trainer- Claims 8 and 41; to select a particular track surface - Claims 9 and 42; to select a particular race distance - Claims 10 and 43; to select a particular racing statistics - Claims 11 and 44; to select a particular silk color- Claims 12 and 45; and to wager by odds for a horse change from that horse's morning line odds - Claims 13 and 46.

Brenner et al. teaches, for a interactive wagering system for horse racing games, that the system allows the user to select a particular racetrack, a particular horse; to search for a desired horse with a remote control; to select a particular jockey, a particular trainer, a particular track surface, a particular race distance, a particular racing statistics,

and a particular silk color; and to wager by odds for a horse change from that horse's morning line odds (see Figs. 3,, 5, 8-28, 36-50 and the descriptions thereof).

Since Brenner et al. and Graves et al. are both from the same filed of endeavor, the purpose disclosed by Brenner et al. would have been well recognized in the pertinent field of Graves et al..

Accordingly, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the system of Graves et al. to play the horse racetrack wagering (to select a particular racetrack, a particular...), as taught by Brenner et al., for the purpose of providing the user with the interactive wagering systems and related processes for off-track horse racing wagering in which a user terminal provides racing odds, pools, handicapping information, and other racing data.

As for Claims 19, 21-25:

The modified method of Graves et al. further discloses the invention including:

notifying the user by displaying a partial-screen overlay message on top of a screen (col. 2, lines 43-46 of Brenner et al.) - Claim 19;

notifying the user via a wireless message (col. 7, lines 35-38 of Brenner et al.) - Claim 21;

notifying the user that the wagering criteria have been satisfied by displaying a message on the TV (col. 1, lines 13-15 of Brenner et al.) - Claim 22;

providing a display screen containing a summary of which types of wagering criteria have been established (col. 3, lines 15-18 of Brenner et al.) - Claim 23;

wherein the summary includes information on wager amounts and wager types that the

user has established for use whenever various sets of wagering criteria are satisfied (col. 2, lines 47-53 of Brenner et al.) - Claim 24; and wherein the summary includes information on wager amounts and wager types that the user has established for use whenever various sets of wagering criteria are satisfied (col. 2, lines 47-53 of Brenner et al.) - Claim 25.

As for Claim 29:

Graves et al. discloses a method for interactive wagering comprising: allowing a user to select desired wagering criteria (col. 4, lines 17-42; col. 4, line 55 - col. 5, line 21 ; col. 6, line 58 - col. 7, line 4; see Fig. 1); determining whether a desired wagering opportunity exists; and automatically taking a particular action/ automatically providing a notification to the user that the horse is to run in the at least one race and placing a wager for the given horse in response to determining that the given horse is to run in the at least one race (automatically placing a wager) whenever the wagering criteria are satisfied (see Supra and Figs. 1-4, in this case, the notification is represented by automatic wagering since when this occurs, the user knows that the wagering opportunity exists since wagering can not occur if the opportunity does not exist and also in Col. 6, line 58-Col. 7, line 4, providing free samples of the game).

receiving racing data about a plurality of races, (Col. 4, lines 55-55, fetches and sends directory and schedule of all available games to the client);

However, Graves et al. does not expressly disclose the invention that allows the user to select a given horse, or making a determination if the given horse is to run in at least

one race by comparing at least a portion of the receive racing data to an identification of the given horse.

Brenner et al. teaches, for a interactive wagering system for horse racing games, that the system allows the user to select a particular racetrack, a particular horse; to search for a desired horse with a remote control; to select a particular jockey, a particular trainer, a particular track surface, a particular race distance, a particular racing statistics, and a particular silk color; and to wager by odds for a horse change from that horse's morning line odds (see Figs. 3,, 5, 8-28, 36-50 and the descriptions thereof).

Since Brenner et al. and Graves et al. are both from the same filed of endeavor, the purpose disclosed by Brenner et al. would have been well recognized in the pertinent field of Graves et al.

Accordingly, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the system of Graves et al. to play the horse racetrack wagering (to select a particular racetrack, a particular...), as taught by Brenner et al., for the purpose of providing the user with the interactive wagering systems and related processes for off-track horse racing wagering in which a user terminal provides racing odds, pools, handicapping information, and other racing data.

- As for Claim 30: the modified method of Graves et al. further discloses the invention including providing the user with an opportunity to select the amount of the wager and the wager type (as taught by both Graves et al. and Brenner et al., see Supra); and
- As for Claim 31: the modified method of Graves et al. further discloses the invention including providing the user with an opportunity to select multiple horses using the

wagering application; and automatically placing a wagers for each horse when it is determined that the horse is to run in a particular race (see Supra Claim 16 for the Graves et al.'s multiple wagering and Brenner et al. for selecting the particular horse in the particular race).

As for Claim 32:

Graves et al. discloses an interactive wagering system, comprising:

user equipment configured to:

select desired wagering criteria (col. 4, lines 17-42; col. 4, line 55 - col. 5, line 21 ; col. 6, line 58 - col. 7, line 4; see Fig. 1);

determine whether a desired wagering opportunity exists; and

automatically take a particular action (automatically placing a wager) whenever the wagering criteria are satisfied/ automatically provide a notification to the user that the horse is to run in the at least one race and place a wager for the given horse in response to

determining that the given horse is to run in the at least one race, (see Supra and Figs. 1-

4, in this case, the notification is represented by automatic wagering since when this occurs, the user knows that the wagering opportunity exists since wagering can not occur if the opportunity does not exist and also in Col. 6, line 58-Col. 7, line 4, providing free samples of the game).

receive racing data about a plurality of races, (Col. 4, lines 55-55, fetches and sends directory and schedule of all available games to the client);,

However, Graves et al. does not expressly disclose the invention that allows the user to select a given horse and place a wager for the horse in a particular race or determining

if the given horse is to run in at least one race by comparing at least a portion of the received racing data to an identification of the given horse.

Brenner et al. teaches, for a interactive wagering system for horse racing games, that the system allows the user to select a particular racetrack, a particular horse; to search for a desired horse with a remote control; to select a particular jockey, a particular trainer, a particular track surface, a particular race distance, a particular racing statistics, and a particular silk color; and to wager by odds for a horse change from that horse's morning line odds (see Figs. 3,, 5, 8-28, 36-50 and the descriptions thereof).

Since Brenner et al. and Graves et al. are both from the same filed of endeavor, the purpose disclosed by Brenner et al. would have been well recognized in the pertinent field of Graves et al..

Accordingly, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the system of Graves et al. to play the horse racetrack wagering (to select a particular racetrack, a particular...), as taught by Brenner et al., for the purpose of providing the user with the interactive wagering systems and related processes for off-track horse racing wagering in which a user terminal provides racing odds, pools, handicapping information, and other racing data.

- As for Claim 33: the modified system of Graves et al. further discloses the system including user computer equipment separate from the user television equipment, wherein the wagering application notifies the user at the user computer equipment by e-mail (see Supra pertinent Claims).

As for Claims 52, 54-58:

The modified medium of Graves et al. further discloses the invention including:

notifying the user by displaying a partial-screen overlay message on top of a screen (col. 2, lines 43-46 of Brenner et al.) - Claim 52;

notifying the user via a wireless message (col. 7, lines 35-38 of Brenner et al.) - Claim 54;

notifying the user that the wagering criteria have been satisfied by displaying a message on the TV (col. 1, lines 13-15 of Brenner et al.) - Claim 55;

providing a display screen containing a summary of which types of wagering criteria have been established (col. 3, lines 15-18 of Brenner et al.) - Claim 56;

wherein the summary includes information on wager amounts and wager types that the user has established for use whenever various sets of wagering criteria are satisfied (col. 2, lines 47-53 of Brenner et al.) - Claim 57; and

wherein the summary includes information on wager amounts and wager types that the user has established for use whenever various sets of wagering criteria are satisfied (col. 2, lines 47-53 of Brenner et al.) - Claim 58.

-As for claim 64, the modified Graves discloses: wherein providing a notification to the user that the horse is to run comprises automatically providing the notification at substantially the same time that it is determined that the given horse is to run in the at least one race, (See Supra, Fig. 1, and Col. 6, line 58-Col. 7, line 4^b

-As for claim 64, the modified Graves discloses: wherein the user television equipment is configured to provide the notification to the user that the horse is to run at substantially the same time that it is determined that the given horse is to run in the at least one race, (col. 3, lines 41-42, television screen used to display receipt).

6. Claims 28 and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graves et al. as applied to Claims 1 and 34 above, and further in view of Hedges et al. (US 4,467,424).

Graves et al. discloses the invention as cited earlier, but does not specifically disclose the invention comprising:

using the wagering application to provide the user with an opportunity to select an expiration time for automatic wagering.

Hedges et al. is cited to show that there is an expiration time to enter a bet.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention of Graves et al. such that the user can select an expiration time for automatic wagering, as taught by Hedges et al., for the purpose of reminding the user of the remaining time and providing the user with the opportunity to change or cancel the wagering.

Response to Arguments

7. Applicant's arguments, see remarks, filed 2/4/08, with respect to claims 34-61 have been fully considered and are persuasive. The 35 USC 101 rejection of claims 34-61 has been withdrawn.

Applicant's arguments, see remarks, filed 2/4/08, with respect to claim 32 has been fully considered and are persuasive. The 35 USC 112 rejection of claim 32 has been withdrawn.

8. Applicant's arguments filed 2/4/08 have been fully considered but they are not persuasive.

Applicant argues that although Graves' proxy playing machine may make some strategic decisions on behalf of the player while the machine is playing a game, neither Graves nor Brenner automatically provide a notification to the user in response to determining that a desired a wagering opportunity exists or a selected horse is about to run in a race. Applicant also argues that various summary and reporting notifications may be sent to the player in Graves, but according to applicant, these notifications only include replicas of the game cards actually in play or the results of the game. However, as discussed above in the rejection, col. 4, lines 17-42; col. 4, line 55- col. 5, line 21; col. 6, line 58 - col. 7, line 4 describes that when a client requests that he wants to purchase a chance, information is accumulated into a Player Preference File, and used to customize information likely to be of value for client making wagers. These passages also shows deciding if results of game correlate with recorded cards, and that the proxy machine makes decisions on how to wager based on information in Player Preference File, and automatic wagering takes place. Most importantly, in this case, the notification is represented by automatic wagering since when this occurs, the user knows that the wagering opportunity exists since wagering can not occur if the opportunity does not exist. Furthermore, as shown in Col. 6, line 58-Col. 7, line 4, free samples of the game are provided, which also represents notification since the free samples informs a user that wagering opportunities are available for those particular games.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 571-272-6734. The examiner can normally be reached on Monday-Friday 9am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

•Patent Application Information Retrieval (PAIR) system, Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

A. R. B.
May 8, 2008

/Akiba K Robinson-Boyce/
Primary Examiner, Art Unit 3628

EVIDENCE APPENDIX C
COPY OF THE ADVISORY ACTION MAILED AUGUST 11, 2008



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/516,428	03/01/2000	Kevin D. Satterfield	ODS-10	3649
75563 7590 08/11/2008 ROPES & GRAY LLP PATENT DOCKETING 39/361 1211 AVENUE OF THE AMERICAS NEW YORK, NY 10036-8704			EXAMINER ROBINSON BOYCE, AKIBA K	
			ART UNIT 3628	PAPER NUMBER
			MAIL DATE 08/11/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/516,428

Applicant(s)

SATTERFIELD ET AL.

Examiner

AKIBA K. ROBINSON BOYCE

Art Unit

3628

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 29 July 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-17, 19-50 and 52-67.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

/Akiba K Robinson-Boyce/
Primary Examiner, Art Unit 3628

Continuation of 11. does NOT place the application in condition for allowance because: Applicant argues that although Graves' proxy playing machine may make some strategic decisions on behalf of the player while the machine is playing a game, the player has to manually seek out an opportunity to play the game. Applicant argues that prior art fails to automatically provide a notification to the user in response to determining that a desired a wagering opportunity exists or a selected horse is about to run in a race. However, as discussed in the rejection, col. 4, lines 17-42; col. 4, line 55- col. 5, line 21; col. 6, line 58 - col. 7, line 4 describes that when a client requests that he wants to purchase a chance, information is accumulated into a Player Preference File, and used to customize information likely to be of value for client making wagers. These passages also shows deciding if results of game correlate with recorded cards, and that the proxy machine makes decisions on how to wager based on information in Player Preference File, and automatic wagering takes place. Most importantly, in this case, the notification is represented by automatic wagering since when this occurs, the user knows that the wagering opportunity exists since wagering can not occur if the opportunity does not exist. Furthermore, as shown in Col. 6, line 58-Col. 7, line 4, free samples of the game are provided, which also represents notification since the free samples informs a user that wagering opportunities are available for those particular games. .

EVIDENCE APPENDIX D
COPY OF GRAVES ET AL. U.S. PATENT NO. 5,830,067



US005830067A

United States Patent [19]

Graves et al.

[11] **Patent Number:** 5,830,067[45] **Date of Patent:** Nov. 3, 1998[54] **PROXY PLAYER MACHINE**[75] Inventors: **Gordon T. Graves**, Austin, Tex.; **Gary W. Watkins**, Tulsa, Okla.[73] Assignee: **Multimedia Games, Inc.**, Tulsa, Okla.[21] Appl. No.: **721,883**[22] Filed: **Sep. 27, 1996****Related U.S. Application Data**

[60] Provisional application No. 60/004,596 Sep. 27, 1995.

[51] **Int. Cl.** ⁶ **A63F 9/22**[52] **U.S. Cl.** **463/40; 463/19; 273/269**[58] **Field of Search** 463/17, 40, 41,
463/42, 19; 273/143 R, 269[56] **References Cited****U.S. PATENT DOCUMENTS**

4,455,025	6/1984	Itkis	273/237
4,634,462	1/1987	Fish et al.	65/29
4,856,787	8/1989	Itkis	273/237
4,909,516	3/1990	Kolinsky	273/237

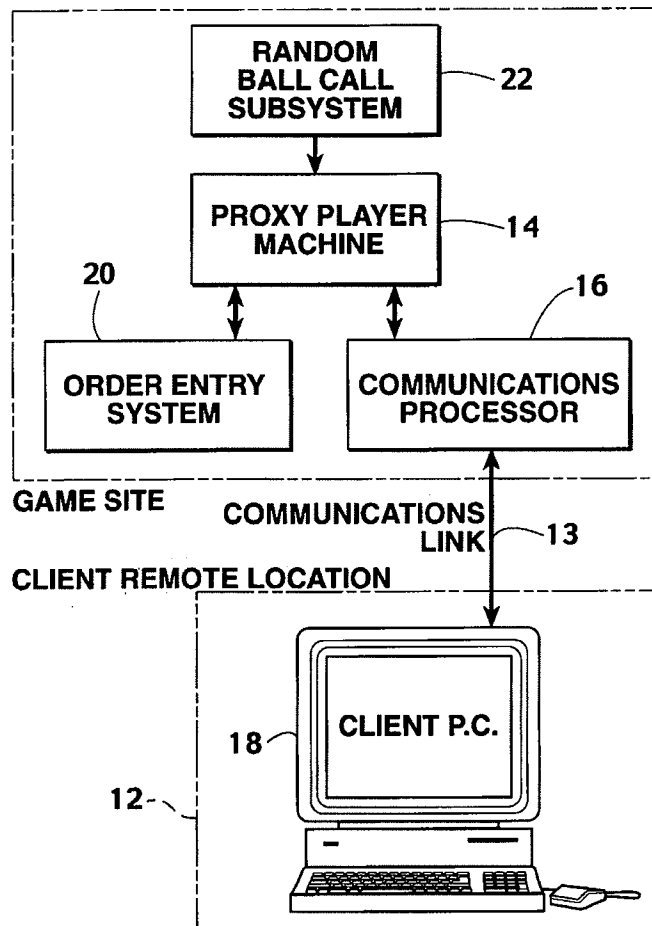
5,297,802	3/1994	Pocock et al.	273/439
5,324,035	6/1994	Morris et al.	273/138
5,333,868	8/1994	Goldfarb	273/138
5,351,970	10/1994	Fioretti	273/439
5,432,932	7/1995	Chen et al.	395/650

Primary Examiner—Michael O'Neill*Attorney, Agent, or Firm*—Head, Johnson & Kachigian

[57]

ABSTRACT

An electronic or mechanical device that acts as an automated agent enabling clients to participate in a game of chance even though a client is not present at the site of the game. The device is located at a site where a game of chance takes place. The device acts as a proxy player by purchasing wagering chances, playing those chances, and reporting the results of those games of chance to clients who are not present at the site where the game takes place. The proxy player may learn a client's preferences and play a game without further input from the client while making gaming decisions according to those preferences. The device enables individuals to participate in games of chance, such as bingo or other types of games, even though they may be outside of the jurisdiction where such games are permitted.

15 Claims, 4 Drawing Sheets

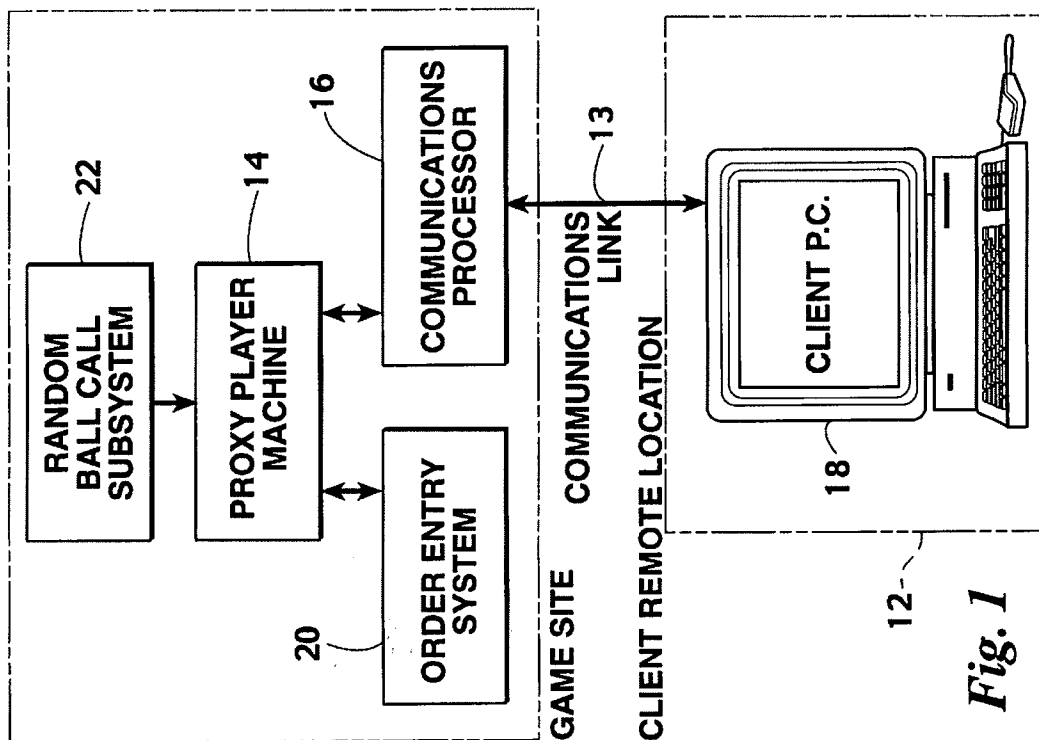


Fig. 1

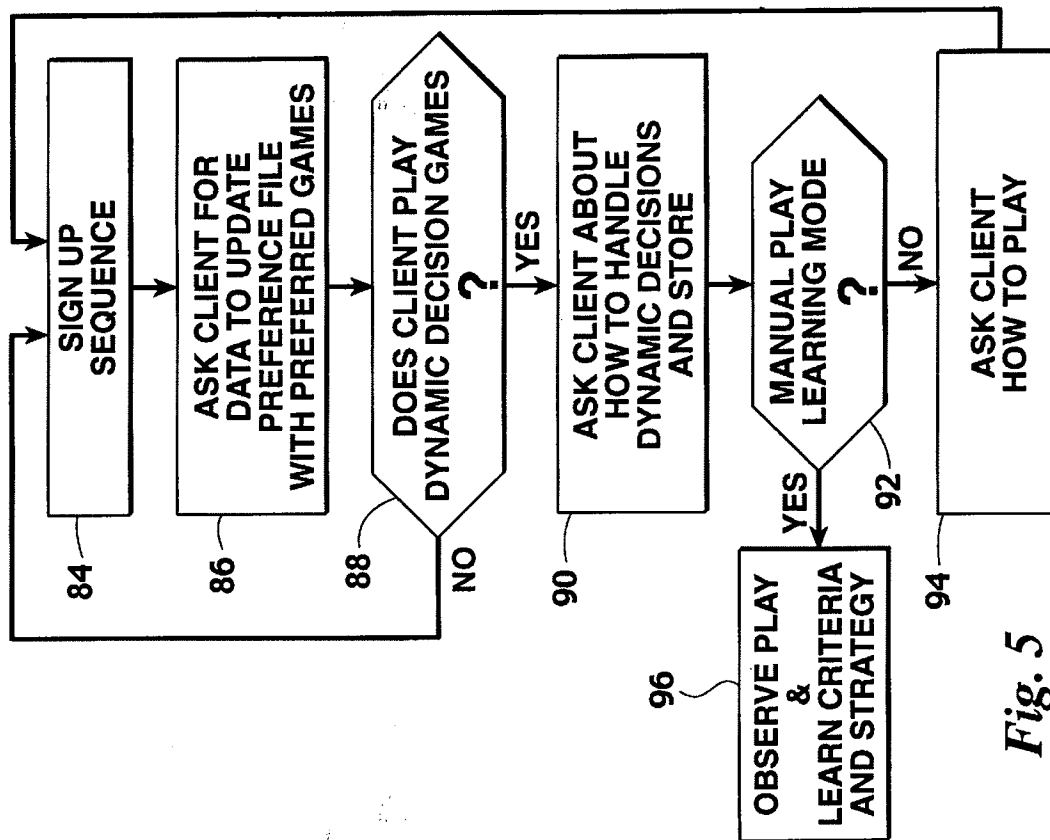


Fig. 5

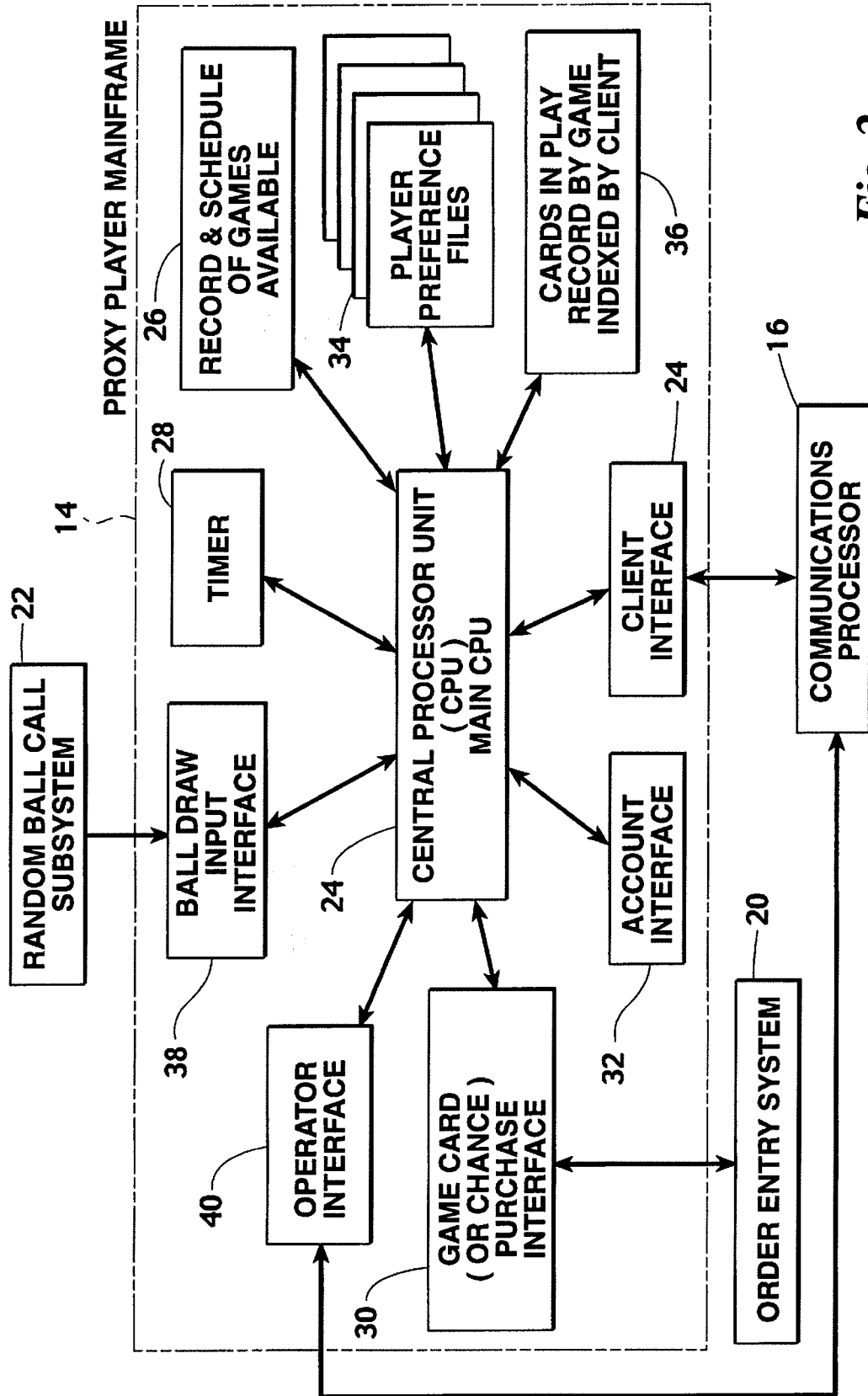


Fig. 2

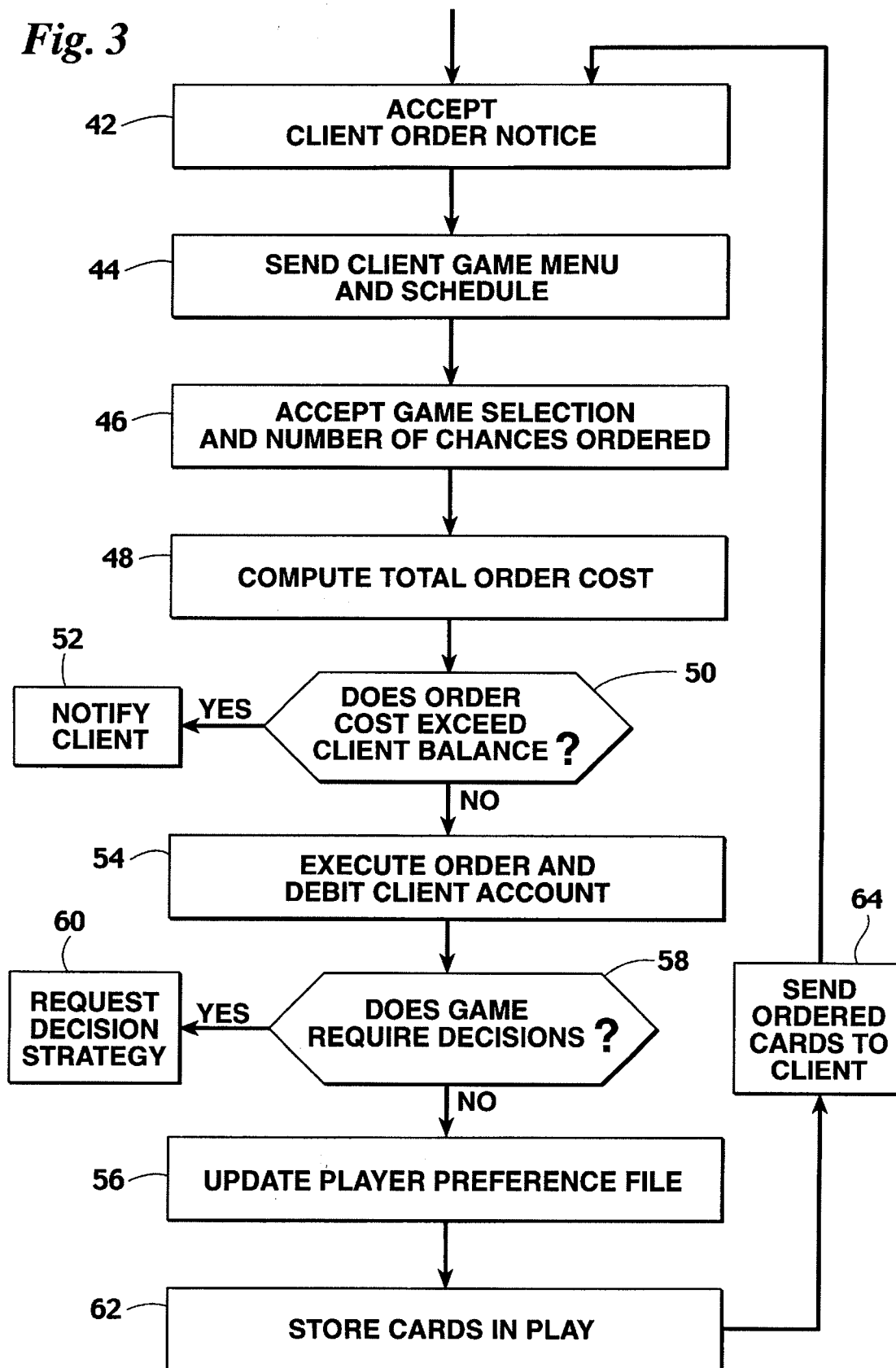
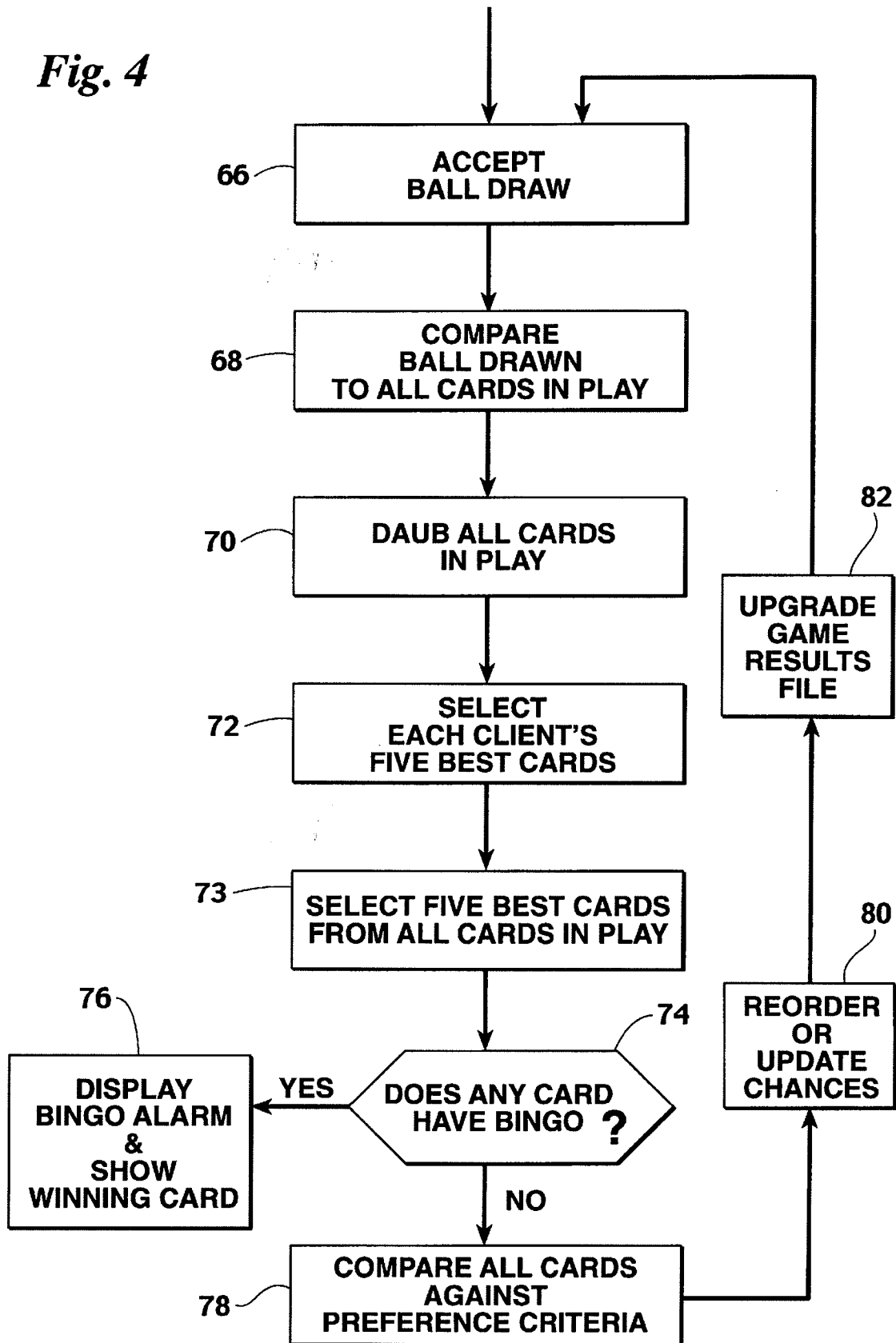
Fig. 3

Fig. 4

PROXY PLAYER MACHINE

CROSS NOTATION

This application claims the benefit of U.S. provisional application No. 60/004,596 filed Sep. 27, 1995.

BACKGROUND OF THE INVENTION

1. Field of the Invention

The present invention relates to an electronic or mechanical device that acts as an automated agent enabling clients to participate in a game of chance even though the clients are not present at the site of the game. In more particular, the invention relates to an electronic or mechanical device located at a site where a game of chance takes place. The device acts as an automated agent by purchasing wagering chances, playing those chances, and reporting the results of those games of chance to clients who are not present at the site where the game takes place.

2. Background

In many jurisdictions, regulations require that all players participating in bingo games and other types of games that involve consideration, chance, and prizes, be present at the site or bingo hall where the game takes place. Oftentimes players are required to announce that they have a winning card or chance in order to win.

It is foreseeable that gaming will be offered prevalently to people at home over the Information Superhighway, through such mediums as the Internet, World Wide Web, America On-Line, and custom gaming related servers, such as American Gaming Network, interactive cable TV, Video on Demand (VOD), telephone or some other yet-to-be discovered mediums. Once gaming is offered through such mediums, it will become even more important commercially to use proxy players that are capable of purchasing and playing games of chance at a gaming site (or within some jurisdiction where it is legal to play) on behalf of people located in jurisdictions where those types of games cannot be legally conducted.

For example, the National Indian Gaming Commission has ruled that proxy play is legal when practiced at an Indian bingo hall. In other words, proxy play can be used for bingo games run on a reservation without violating an important requirement of the Indian Gaming Regulatory Act—namely, that in order for a game to be classified as Indian bingo, the entire game must be conducted on Indian land. This rule is important because the Indian Gaming Regulatory Act exempts the conductors of Indian bingo games that are conducted on a reservation from all of the federal gambling laws regarding the use of telephones, computers, the mail, television, etc., across state lines. Further, recent Federal Court cases have ruled that a state cannot prevent people from assisting citizens in that state in participating by proxy in a gaming activity that is legal in another jurisdiction regardless of whether the gaming activity is legal in that state.

Various types of electronic gaming systems are known in the art. Examples of electronic gaming systems include U.S. Pat. No. 5,333,868 to Goldfarb for a "Method of Playing a Game of Chance at Locations Remote from the Game Site" and U.S. Pat. No. 5,351,970 to Fioretti for "Methods and Apparatus for Playing Bingo Over a Wide Geographic Area". The Goldfarb and Fioretti patents use a system-based station rather than a proxy player, as used in applicant's "Proxy Player Machine". Other patents of interest include U.S. Pat. No. 4,856,787 to Itkis for a "Concurrent Game

Network", U.S. Pat. No. 5,297,802 to Pocock et al for a "Televised Bingo Game System", U.S. Pat. No. 5,324,035 to Morris et al for a "Video Gaming System with Fixed Pool of Winning Plays and Global Pool Access", and U.S. Pat. No. 5,432,932 to Chen et al for a "System and Method for Dynamically Controlling Remote Processes from a Performance Monitor". However, none of the previous patents for electronic gaming systems teach a system that allows and assists a remote client in communicating with a proxy player at a gaming site, thereby allowing the remote client to instruct the proxy player regarding decisions relating to play of the game, and allowing the proxy player to play a game for the remote client using the remote client's gaming preferences.

SUMMARY OF THE INVENTION

Consequently, there is a need for an efficient way to empower a proxy player at a gaming hall so that he or she can economically and practically play a game on behalf of numerous remote clients or home personal computer users located throughout the country. Therefore, a computer user at home need not be playing but instead merely observing the results of the game which the automated and empowered proxy player is playing on his or her behalf at the gaming hall. In order to fully comply with the proxy play restraint, and still offer the on-line home computer user or client the full entertainment value of a fast moving, challenging game, the empowered proxy player needs to be able to make relatively sophisticated decisions and perform relatively complicated tasks.

In order to so empower the proxy player, an automated Proxy Player Machine is provided, which, in its preferred embodiment as described herein, uses off-the-shelf computer equipment, software, and peripherals along with custom applications software.

In the past, people unable to attend a bingo hall have given money to bingo hall attendees to buy bingo cards and play the cards on their behalf. Recently, many manufacturers have developed microcomputer-based electronic player stations (EPS's) that are capable of automatically playing hundreds or thousands of cards on behalf of a single operator. Consequently, an EPS operator can play cards on behalf of many others who are not present. In this case, the EPS operator acts as an agent or a proxy player on behalf of those remote clients who are not present. Applicant's Proxy Player Machine is a proxy player computer/communications system that sends an electronic signal from the EPS proxy player to the remote client and either prints or displays for the remote client a receipt that contains a replica of the card or cards that are being played by the EPS proxy operator on behalf of the remote client before a game such as bingo begins. The results of a bingo game, in terms of the balls drawn, are also transmitted by the Machine and displayed to the remote client. Thus, the Machine provides the remote client with the necessary information to be assured that he or she is not being cheated by the proxy player (by assuring that the proxy player will not keep all the winning cards for himself).

In addition, the system of which the Machine is a part maintains a record (the debit record) of the amount of money that the remote client has given the proxy player to use to purchase cards on his behalf. The Machine allows and assists the remote client in communicating with the proxy player at the bingo hall in order to instruct the proxy player in playing more sophisticated games or sessions of games. For example, the Machine may prompt the remote client for

instructions about such things as the amount that should be spent to purchase cards for a particular game or session, or the amount of money to spend in a variable cost game where the cost of play varies as a function of the number of balls drawn or the total amount wagered. The Machine can also allow the remote client to make these types of decisions either at the hall or remotely for a period of time. The Machine can automatically observe client decisions made during this time, thereby learning the remote client's preferences and strategies. The Machine can then explain to the remote client what it has learned and ask the remote client if it is ready for the system to take over and automatically make these decisions.

The system of which the Machine is a part automatically adjusts the balance in the remote client's debit record as the proxy player accepts the instructions to purchase more cards and automatically notifies the remote client when the money in the debit account must be replenished. A credit card, wire transfer, or other means can be used to replenish the account.

Numbers displayed on the face of the replica of the proxy card receipt can be marked or activated in some manner by the remote client or marked or activated automatically in a way to show which balls have been drawn so that the remote client will know whether the cards purchased on his behalf have won or not.

Another embodiment of the system allows the use of a proxy card receipt wherein the marks or activations on the receipt may be removed after each game or session of games. The receipt may, therefore, be repeatedly re-used. Consequently, the remote client can instruct the proxy player to purchase a card or cards having the identical play face or faces as cards purchased and played on behalf of the remote client in previous games. This embodiment of the system has the capability of reserving a card or group of cards to be purchased and played on behalf of a remote client so that these re-usable receipts can be used again and again thereby eliminating the need to transmit and print or display new receipts for every game.

The re-usable receipt will be easy to obtain at home once two-way interactive broad band cable and telephone networks are in place. A television screen can be used as the medium for displaying the receipt. The placement of marks or activations of the cards on the screen can be automatically controlled by the set-top box. Other approaches include using a receipt printed on an erasable surface material or a marker or "dauber" with erasable ink. Finally, another approach is to use a "magic tablet" -type toy scheme with an adhesive carbon surface covered with a clear plastic that will adhere to the carbon when point pressure is applied, allowing a carbon mark to show through. Another approach is to program a personal digital assistant (PDA), such as the Apple Newtons™, or one of the more advanced units coming out.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 shows a general diagram of a gaming system using an automated Proxy Player Machine.

FIG. 2 shows a block diagram of the Proxy Player Machine.

FIG. 3 shows a flow chart of the chance order cycle.

FIG. 4 shows a flow chart of the game play cycle.

FIG. 5 shows a flow chart of the preference set-up cycle.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

The purpose of the automated Proxy Player Machine invention is to automate the process of having an agent play

a game of chance on behalf of a person who is not present at the location or in the jurisdiction where the game is conducted ("game site" 10).

Referring now to FIG. 1, a functional block diagram showing how automated Proxy Player Machine 14 functions is shown. Proxy Player Machine 14 is installed at game site 10 where the game is conducted. Proxy Player Machine 14 interfaces through communications processor 16, which is located at game site 10. Communications Processor 16 communicates with remote client location 12 by means of communications link 13. Communications link 13 may be a telephone, radio link, or some other communications means commonly known in the art. Interface device 18 can be a telephone, an interactive cable TV network, or a variety of other conduits. In the preferred embodiment, interface device 18 is a remote personal computer.

In practice, the remote client requests that the proxy player, using Proxy Player Machine 14, purchase a chance and play on his behalf. Proxy Player Machine 14 then communicates with Order Entry System 20 located at Game Site 10 and requests the type and number of chances to be purchased on behalf of the remote client. Upon completion of the order, Proxy Player Machine 14 sends a report to the remote client along with a receipt containing a record of the numbers or symbols (such as a bingo face) and identification number of the purchased chances. When the game for which the chances have been purchased commences, Proxy Player Machine 14 receives the information regarding the random process for that game. This information could be entered manually through a keyboard or other means by the agent who is operating Proxy Player Machine 14, or as shown in this case, Proxy Player Machine 14 can receive information from Ball Call Subsystem 22. Proxy Player Machine 14 compares and correlates numbers or symbols imprinted on balls drawn during a game at game site 10 with numbers or symbols of the purchased chances to determine whether the sequence, order, or pattern of correlation needed to win a prize exists in accordance with the rules of the game. Proxy Player Machine 14 notifies the operator agent when a winning chance is detected and the operator agent takes the appropriate action to collect the associated prize for the remote client.

Operation of Proxy Player Machine 14 is described in more detail in FIG. 2. Main Central Processor Unit ("CPU") 24 interfaces with Client Interface Unit 25, which can be in many forms. In the preferred embodiment, Client Interface Unit 25 is an EtherNet local area network board connected to a serial port. Client Interface Unit 25 communicates with Communications Processor 16 which is also shown in FIG. 1. Game Card Purchase Interface or Chance Purchase Interface 30 communicates with Order Entry System 20. Ball Draw Input Interface 38 interfaces with Random Ball Call Subsystem 22. Operator Interface 40 communicates with Communications Processor 16.

When a client requests that he wants to purchase a chance, CPU 24 fetches the directory, brief description, and the schedule of all available games from Record of Games 26, and sends the information to the client. Once the player selects a game, a record of what he or she has purchased is stored in Player Preference File 34. After a record of a client's past activity has been accumulated, CPU 24 can use this information to customize information likely to be of value to that particular client. When a client first starts using the proxy service, CPU 24 will also query the client as to his preference of how he wants to make any necessary strategic decisions regarding such things as the amount wagered per chance, when to make changes in the number or character of

chances in play, etc., as a function of such variables as number of players, size of the prizes, number of correlations accumulated on each chance, etc. This information will be stored in Player Preference File 34. CPU 24 will handle this process for a multitude of different clients simultaneously. Once timer 28 notifies CPU 24 that the time before the start of a particular game is less than a certain preset time threshold, CPU 24 notifies the clients that the game is closed and a record of all cards or chances that have been sold is stored in Record of Cards 36. Record of Cards 36 is indexed by a client identification number or a pack number. When the game starts, CPU 24 accepts the ball drawing results from ball draw input interface 38 and correlates the results with the recorded cards in Record of Cards 36. If it is possible or necessary for more cards to be purchased as the game progresses or if a decision must be made to spend more per card as the game progresses to stay in the game, Proxy Player Machine 14 will automatically make those decisions based on data in each players preference file. When a winning card is detected by CPU 24, display data is sent to Operator Interface 40.

The four major processes performed by Proxy Player Machine 14 after accepting purchase and preference instructions from the client are (a) ordering chances, (b) playing the game, (c) reporting the results of the game to the clients, and (d) setting up preference information for each client. A flow diagram of the chance ordering cycle is shown in FIG. 3. Proxy Player Machine 14 accepts a notification that the client wants to make an order request as indicated in step 42, which activates Proxy Player Machine 14 to send the client the Game Menu and Schedule as indicated in step 44. Proxy Player Machine 14 then accepts the client's order as indicated in step 46 and computes the total cost of all cards ordered as indicated in step 48. Proxy Player Machine 14 then determines if the client's debit account is adequate to pay for the order as shown in step 50. If the client's debit account is not adequate, the client is notified in step 52 that he or she must replenish their debit account. If sufficient funds are available, the order is executed and the clients account is debited as indicated in step 54. A determination is then made in step 58 as to whether the game requires a decision while the game is in progress. If so, Proxy Player Machine 14 requests a decision strategy from the client, as shown in step 60. The player's preference file is then updated as indicated in step 56, and the cards or chances ordered are stored for play as indicated in step 62. A receipt containing a replica of the cards in play is then sent to the client for his records as indicated in step 64.

In FIG. 4, a typical Game Play cycle for a bingo game is shown. Proxy Player Machine 14 accepts a signal indicating the number or symbol imprinted on a ball that is drawn, as indicated in step 66, and compares the number or symbol of the drawn ball to the numbers or symbols on all cards or chances in play as indicated in step 68. Proxy Player Machine 14 then marks or "daubs" all cards in play as indicated in step 70. Proxy Player Machine 14 then selects the five best cards or chances purchased by each client by calculating which cards or chances have the highest probability of becoming a winner, as indicated in step 72. From that group, Proxy Player Machine 14 then selects the five best overall cards or chances from the entire population of cards in play as indicated in step 73. These five cards or chances are displayed on a display unit of Proxy Player Machine 14. Proxy Player Machine 14 then checks to see if any of these five cards or chances have filled the criteria for a prize (a bingo) as indicated in step 74. If a bingo has occurred, the winning card is displayed as indicated in step

76, with a flashing light or alarm to attract the attention of the agent operator. If there is no winner, Proxy Player Machine 14 then checks to determine if the game in play requires or allows the player to make some decision to increase the amount wagered, change a chance for another chance, modify a chance, discontinue play of ("drop") a chance, or make some other dynamic decision. All strategic decisions are stored in that player's preference file and a determination is made of what strategic action should be taken, as indicated in step 78. For each card requiring a strategic decision, Proxy Player Machine 14 re-enters the Chance Order Cycle 80. Proxy Player Machine 14 then updates each client's game results file as indicated in step 82, and is then ready for the next ball draw.

Proxy Player Machine 14 reports the results of the game either after each ball draw or after the game is completed. Proxy Player Machine 14 fetches the information from the game results file for each client. Proxy Player Machine 14 prepares that data in the form of a set of display commands for interface device 18, which is the client's remote personal computer in the preferred embodiment.

An example of operation is given below. During a bingo game, when a ball inscribed with a certain number is drawn, Proxy Player Machine 14 prepares a message with the alpha-numeric code indicating that the ball having that number has been drawn, followed by the identification number of the five best bingo cards being played by that client in order. After each card identification number, Proxy Player Machine 14 sends instructions regarding which position to mark or "daub" on that card. Proxy Player Machine 14 then sends the identification number followed by what position to daub for all cards that need to be daubed. Daubing instructions are communicated in terms of the position on the bingo card to be daubed. Each square in each card is given a daub identification number from one to twenty-five. The daubing identification number is sent to interface device 18, typically a remote client personal computer, for display update. The information is then stored in the client's e-mail mailbox, posted on an Internet home page, or kept in the client's game results file until the game is over, at which time the information is sent to e-mail.

The preference set up cycle is shown in FIG. 5. When a client is in the process of signing up for the remote gaming service of which the automated Proxy Player Machine 14 is a part, as shown in step 84, Proxy Player Machine 14 is notified and queries the client about his preferred games as shown in step 86. At this step, Proxy Player Machine 14 may describe how the different classes of offered games are played and provide free samples of play of each available game if the client wishes to play them. Proxy Player Machine 14 determines in step 88 whether the client has indicated an interest in playing a game that requires or allows a dynamic response during play of the game. The client is then prompted to indicate his or her preference in handling dynamic decisions in step 90. The client may elect to play the game in manual mode until Proxy Player Machine 14 can "learn" his preference as shown in step 96. In the alternative, the client may answer questions regarding the criteria he wants Proxy Player Machine 14 to use in automatically making dynamic strategic game play decisions on his behalf. For example, if the client wants to have Proxy Player Machine 14 play a blackjack game, Proxy Player Machine 14 will ask the client to select the number of points to be obtained before Proxy Player Machine 14 would refuse another card. Additionally, Proxy Player Machine 14 may ask what a client should hold within his or her hand as a function of the card shown by the dealer. If the

client prefers to play a chip-up type bingo game where the player must make a decision to pay more money to keep a bingo card in play after a certain number of balls have drawn, Proxy Player Machine 14 might ask if the client wants the Machine to:

- (a) Drop a card after the sixth (or x) ball is drawn if there are no daubs on that card (or no more than y daubs on that card).
- (b) Drop a card after the ninth (or w) ball is drawn if a card is not within one (or z) daubs of having a bingo.
- (c) Drop a card after any ball draw if the probability of winning, P(win), does not exceed 50% (or xx%) as computed by the Machine, using an algorithm which computes P(win) as a function of the number of competing cards in play, the number of balls that have been drawn, and the number of daubs on the card.
- (d) Drop a card after any ball draw if the expected value of the win does not exceed 50% (or yy%) as computed by the Machine, using an algorithm which computes P(win) and adds to it the size of the prizes.

If Proxy Player Machine 14 is in the manual learning mode for a client, it accumulates a running average of the value of x, y, w, z, xx, and yy when the client drops a card. After a certain number of games, for example ten, Proxy Player Machine 14 shows the client the averages of the values of x, y, w, z, xx, and yy and asks if the client is ready to enter into the mode where Proxy Player Machine 14 automatically makes strategic game play decisions based on one or more of the criteria available.

Whereas, the present invention has been described in relation to the drawings attached hereto, it should be understood that other and further modifications, apart from those shown or suggested herein, may be made within the spirit and scope of this invention.

What is claimed is:

1. A proxy player machine comprising:
 - a central processor unit;
 - a client interface for communicating with said central processor unit;
 - a data base for storing a record of games and a schedule of available games and means of communicating said record and schedule to said central processor unit;
 - a timer for determining when a time threshold is met and notifying said central processor unit;
 - a chance purchase interface for communicating with said central processor unit;
 - an account interface for communicating with said central processor unit;
 - a player preference file for storing strategic decisions of a client and means for communicating said decisions to said central processor unit;
 - a database containing a record of cards in play in communication with said central processor unit;
 - a ball draw input interface for communicating ball drawing results with said central processor unit; and

an operator interface for accepting display data from said central processor unit.

2. A proxy player machine according to claim 1 further comprising:

- 5 a communications processor for communicating with said client interface and said operator interface.

3. A proxy player machine according to claim 2 further comprising:

- 10 an interface device for communicating with said communications processor.

4. A proxy player machine according to claim 3 wherein said communications processor communicates with a plurality of said interface devices.

- 15 5. A proxy player machine according to claim 3 wherein said interface device is a personal computer.

6. A proxy player machine according to claim 5 wherein said communications processor communicates with a plurality of said interface devices.

- 20 7. A proxy player machine according to claim 1 further comprising:

- an order entry device for communicating to said chance purchase interface the type and number of chances to be purchased on behalf of the remote client.

- 25 8. A proxy player machine according to claim 1 further comprising:

- a random ball call device for communicating with said ball draw input interface.

- 30 9. A method of gaming by a remote client by utilizing a computerized proxy player, said method comprising:

- maintaining a debit record of a client proxy player balance;

- permitting a client to order a game;

- debiting said debit record by a cost of said game;

- 35 executing decisions made by said client;

- constructing a player preference file for storing strategic decisions of a client; and

- communicating results of said game to said client.

- 40 10. A method of gaming according to claim 9 wherein said step of permitting a client to order a game further permits a client to order a plurality of chances.

11. A method of gaming according to claim 9 further comprising the steps of:

- 45 utilizing said player preference file to play a game according to the client's gaming preferences without requiring further input from said client.

12. A method of gaming according to claim 9 wherein said step of communicating results of said game to said client is by means of a reusable receipt.

- 50 13. A method of gaming according to claim 12 wherein said reusable receipt is a personal digital assistant.

14. A method of gaming according to claim 12 wherein said reusable receipt is a plastic card.

- 55 15. A method of gaming according to claim 12 wherein said reusable receipt is a debit card.

* * * * *

EVIDENCE APPENDIX E
COPY OF BRENNER ET AL. U.S. PATENT NO. 6,099,409



[11] **Patent Number:** **6,099,409**

[45] **Date of Patent:** *Aug. 8, 2000

- | | | | |
|--------------|---------|-------------------------|------------|
| 0 620 688 A2 | 10/1994 | European Pat. Off. | H04N 7/14 |
| 0 624 039 A2 | 11/1994 | European Pat. Off. | H04N 7/173 |
| 2 229 565 | 9/1990 | United Kingdom | A63F 0/00 |
| 2 300 535 | 11/1996 | United Kingdom | H04N 5/262 |
| 81/01664 | 6/1981 | WIPO | A63B 71/06 |
| 95/01058 | 1/1995 | WIPO | H04N 7/16 |

- ## OTHER PUBLICATIONS

- "And We're Off To The Races!"** John Burgess, *The Washington Post*, Jan. 16, 1995.

- "The Home Betting Channel", Vinnie Perrone, The Washington Post, Dec. 15, 1994.

- "Interactive Wagering A Good Bet", Maury Wolff, Daily Racing Form, Jan. 29, 1995.

- "New On TV: You Bet Your Horse", Ross Peddicord, The Sun, Baltimore, Maryland, Dec. 15, 1994.

- "Home Wagering Is On The Way", Michael Hiestand, USA Today, Dec. 7, 1994.

(List continued on next page.)

Primary Examiner—Valencia Martin-Wallace

- Assistant Examiner*—John M. Hotaling, II

- Attorney, Agent, or Firm*—Fish & Neave; G. Victor Treyz;
James A. Leiz

- [57]
- ABSTRACT**

- Systems and processes for interactive off-track wagering are provided. A user reviews racing information and places bets using an off-track terminal. The user interactively selects a desired racetrack and race. Odds, pools, and payoff amounts may be viewed for a variety of complex wager types. To place a wager, the user selects a wager type, wager amount, and the desired runners. Account information can be reviewed. If desired, the user can transfer funds from a bank account to an account used for wagering. Racing videos can be viewed while the user reviews odds and places bets. Video clips of past races can be ordered. Related advertisements can be presented using text or video clips. Merchandise may be ordered interactively. Information regarding system usage may be gathered.

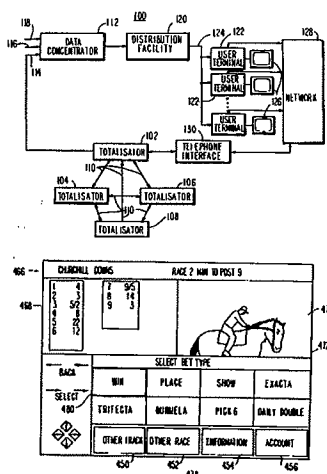
36 Claims, 50 Drawing Sheets

- | | | | |
|-----------|---------|--------------------|-----------|
| 3,697,698 | 10/1972 | Oswald et al. | 179/15 A |
| 3,810,627 | 5/1974 | Levy | 273/138 A |
| 3,909,002 | 9/1975 | Levy | 273/138 A |
| 4,339,798 | 7/1982 | Hedges et al. | 364/412 |
| 4,467,424 | 8/1984 | Hedges et al. | 364/412 |

(List continued on next page.)

FOREIGN PATENT DOCUMENTS

- 0 450 520 A2 10/1991 European Pat. Off. A63F 3/06



U.S. PATENT DOCUMENTS

4,592,546	6/1986	Fascenda et al.	273/1 E
4,652,998	3/1987	Koza et al.	364/412
4,669,730	6/1987	Small	273/138 A
4,694,490	9/1987	Harvey et al.	380/20
4,704,725	11/1987	Harvey et al.	380/9
4,706,121	11/1987	Young	358/142
4,745,468	5/1988	Von Kohorn	358/84
4,760,527	7/1988	Sidley	364/412
4,799,683	1/1989	Bruner, Jr.	273/138 A
4,815,741	3/1989	Small	273/138 A
4,876,592	10/1989	Von Kohorn	358/84
4,882,473	11/1989	Bergeron et al.	235/380
4,926,255	5/1990	Von Kohorn	358/84
4,965,825	10/1990	Harvey et al.	380/9
5,034,807	7/1991	Von Kohorn	358/84
5,038,022	8/1991	Lucero	235/380
5,057,915	10/1991	Von Kohorn	358/84
5,073,931	12/1991	Audebert et al.	380/23
5,083,271	1/1992	Thacher et al.	364/411
5,083,800	1/1992	Lockton	273/439
5,109,414	4/1992	Harvey et al.	380/9
5,128,752	7/1992	Von Kohorn	358/84
5,227,874	7/1993	Von Kohorn	358/84
5,233,654	8/1993	Harvey et al.	380/20
5,249,044	9/1993	Von Kohorn	358/86
5,259,613	11/1993	Marnell, II	273/138 A
5,283,734	2/1994	Van Kohorn	364/412
5,340,119	8/1994	Goldfarb	273/439
5,408,417	4/1995	Wilder	364/479
5,411,258	5/1995	Wilson et al.	273/86 B
5,415,416	5/1995	Scagnelli et al.	273/439
5,462,275	10/1995	Lowe et al.	273/94
5,564,977	10/1996	Algje	463/42

5,647,795	7/1997	Stanton	463/1
B1 4,745,468	6/1991	Von Kohorn	.

OTHER PUBLICATIONS

"Telegambling Is Odds On Bet To Make An Impact", Gary Arlen, Multichannel News, Nov. 7, 1994.

"ODS Bets On Horse Racing", Mitch Mauer, Tulsa World, Oct. 23, 1994.

"Patents", Sabra Chartrand, The New York Times, Feb. 28, 1994.

"An Open-Systems Approach To Video On Demand", Yee-Hsiang Chang et al., IEEE Communications Magazine, May, 1994.

"A Scenario For The Deployment Of Interactive Multimedia Cable Television Systems In The United States In The 1990's", Matthew D. Miller, Proceedings of the IEEE, vol. 82, No. 4, Apr., 1994, pp. 585-589.

"Are Coin-Op Slot Machines Going The Way Of The Dinosaur?", Matt Connor, Gaming Business, vol. 15, No. 4, Apr. 5, 1994, pp. 1, 56, and 58.

TrackMaster User's Guide Version 2.0.7, Apr., 1994, AXCIS Pocket Information Network, Inc., Santa Clara, California.

Video Technology News, Feb. 14, 1994, pp. 7 and 8.

"Big League Electronics", Playboy (undated).

Tiny Tim Brochure, Auto Tote Systems Inc., Newark, Delaware (undated).

BetMate Brochure, AmTote, Hunt Valley, Maryland (undated).

Probe XL Brochure, AutoTote Systems, Inc., Newark, Delaware (undated).

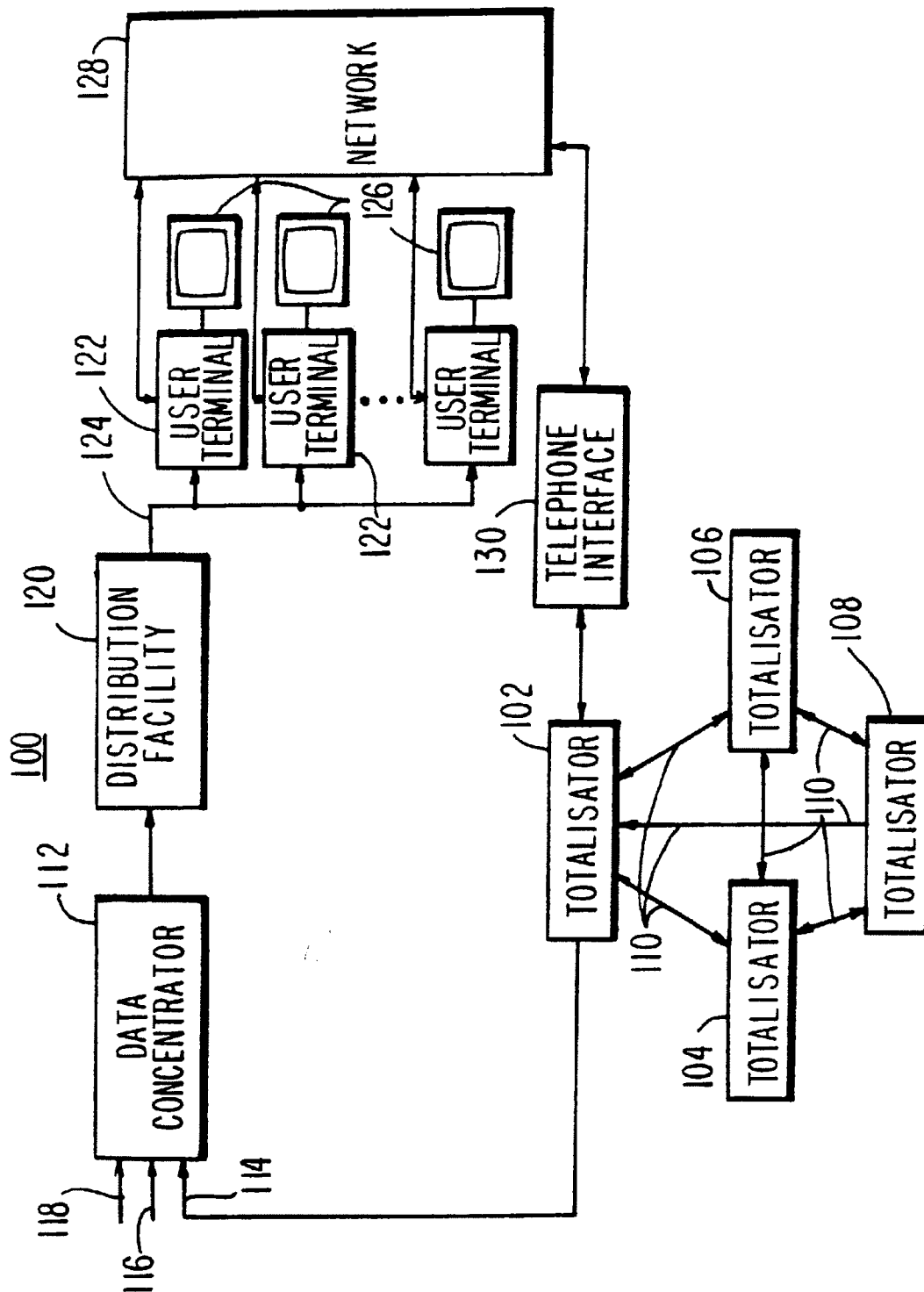


FIG. 1

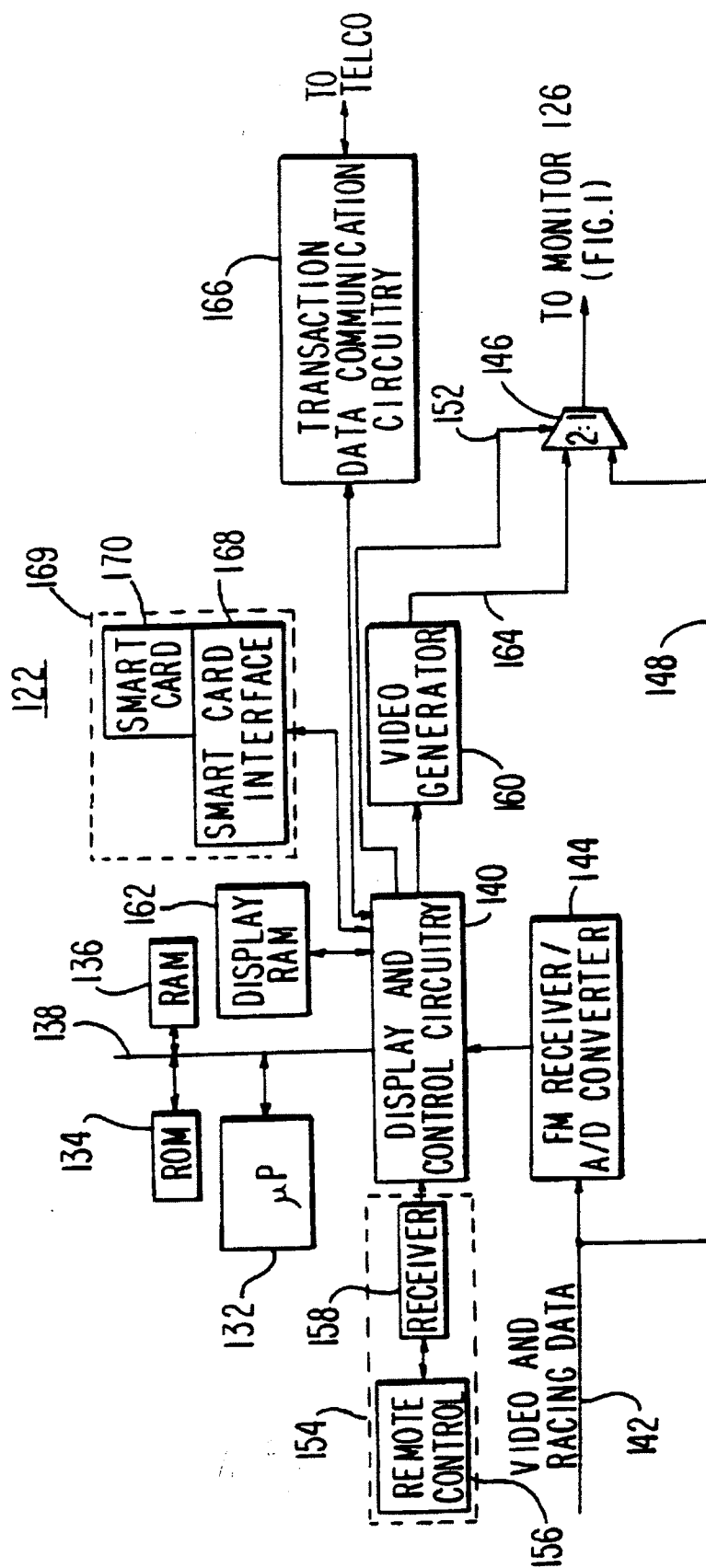


FIG. 2

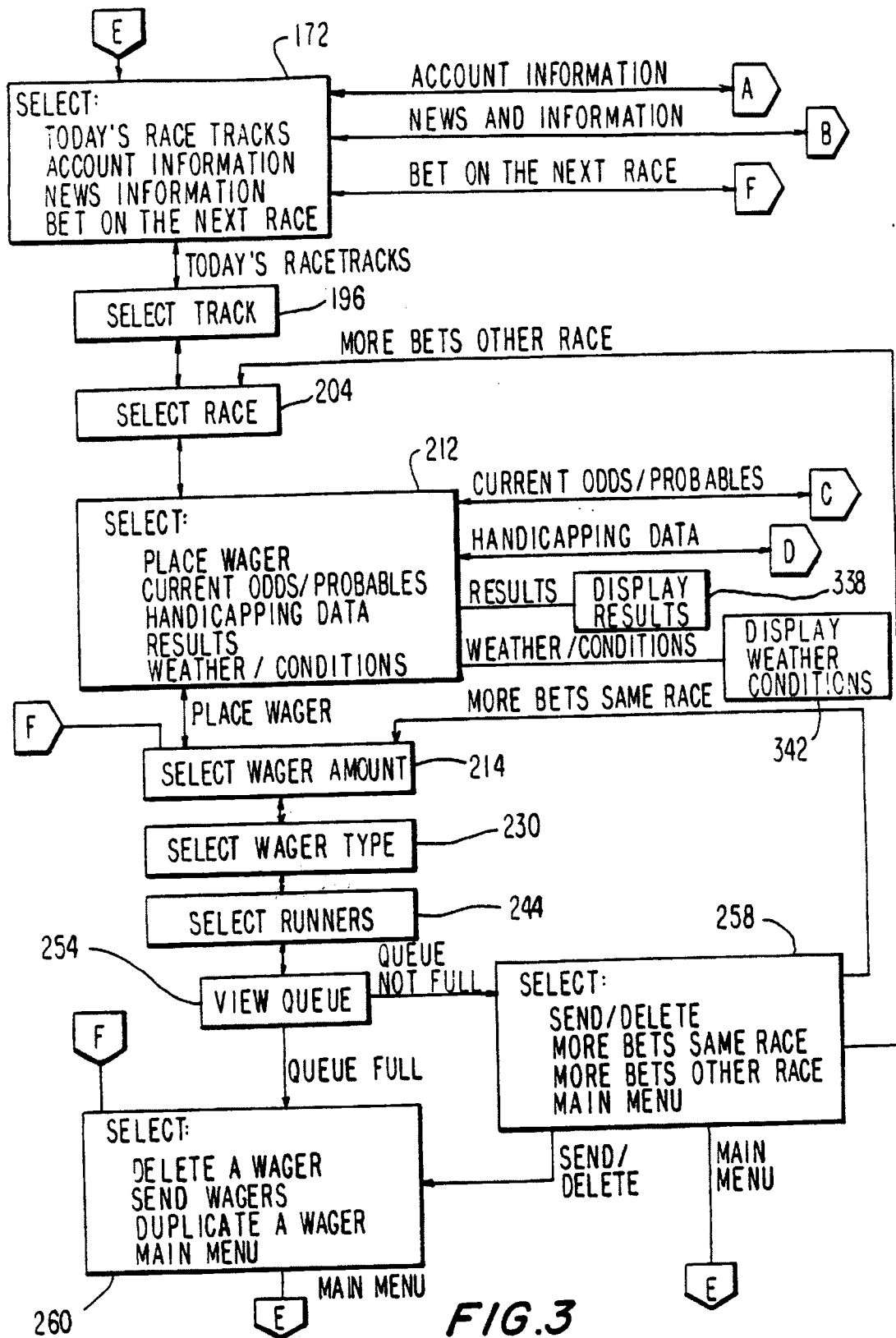


FIG. 3

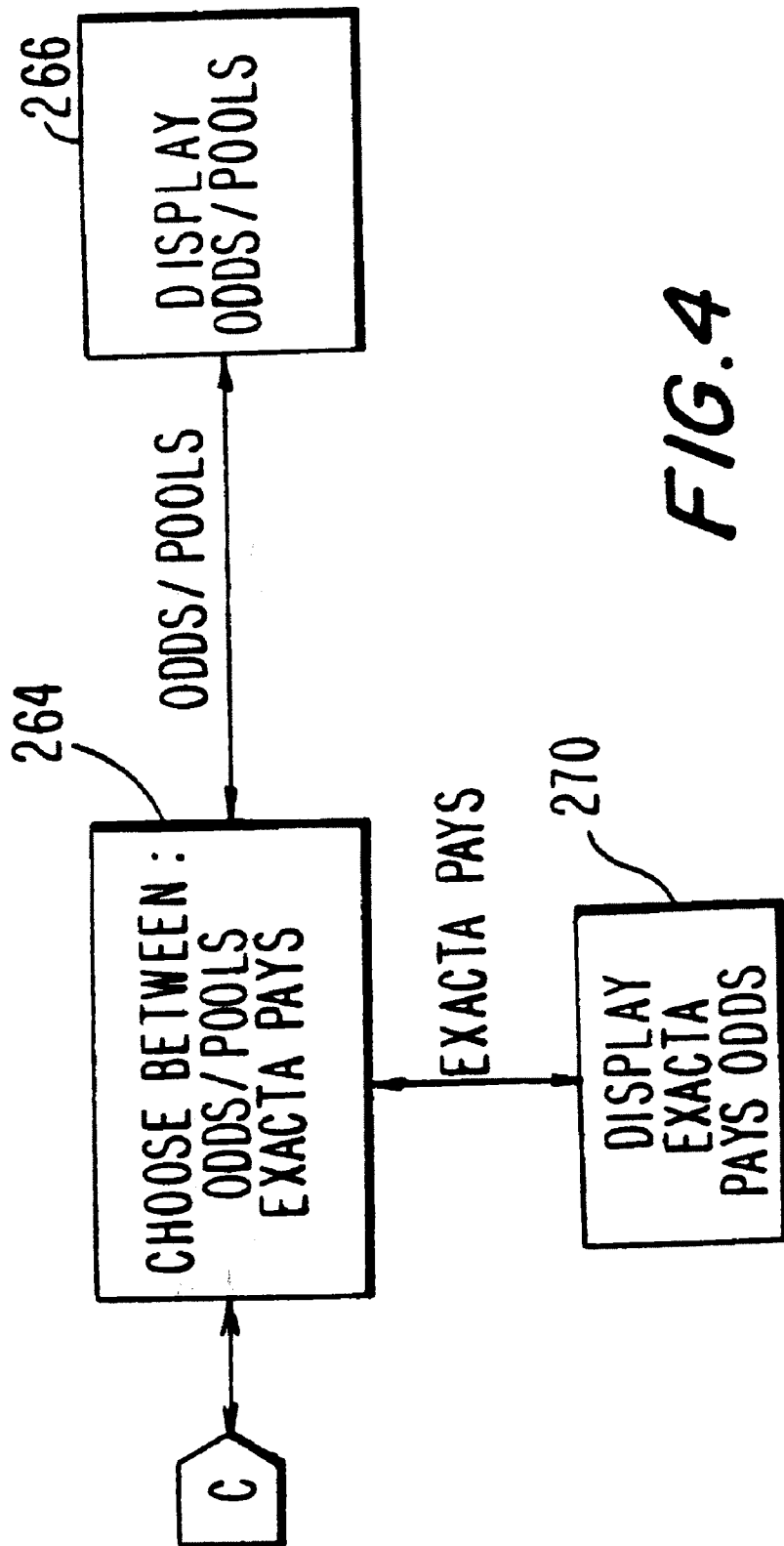
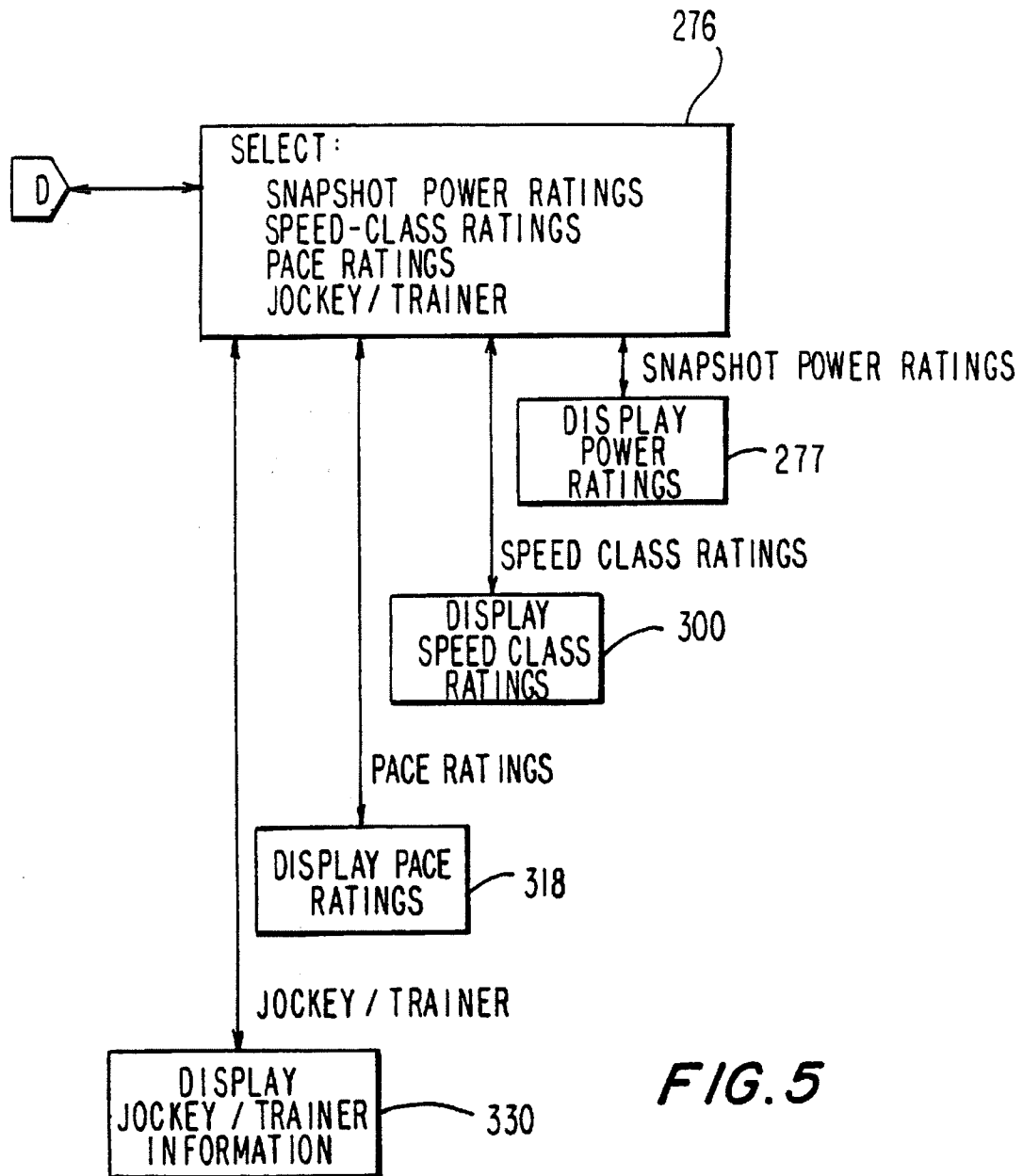
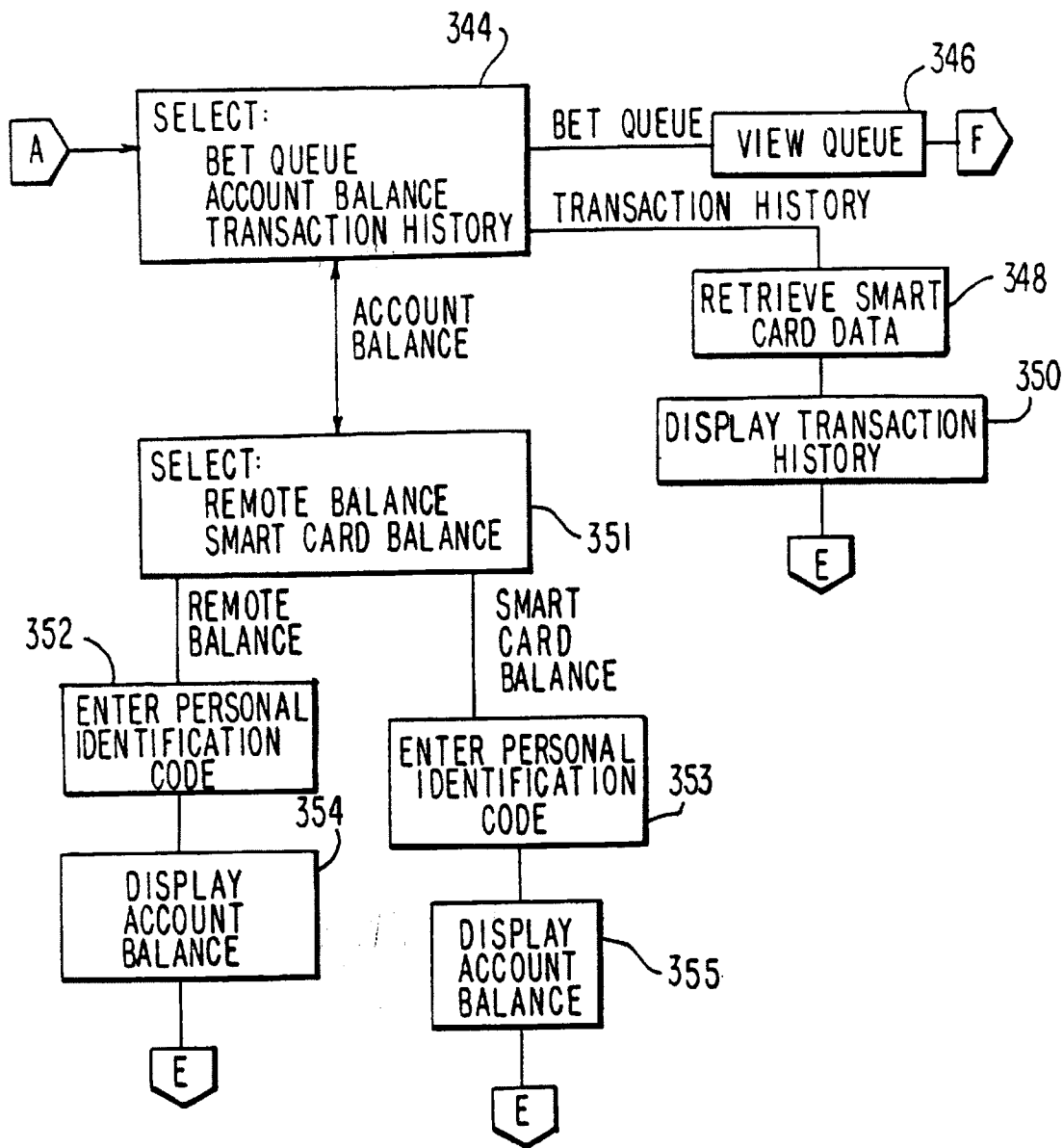
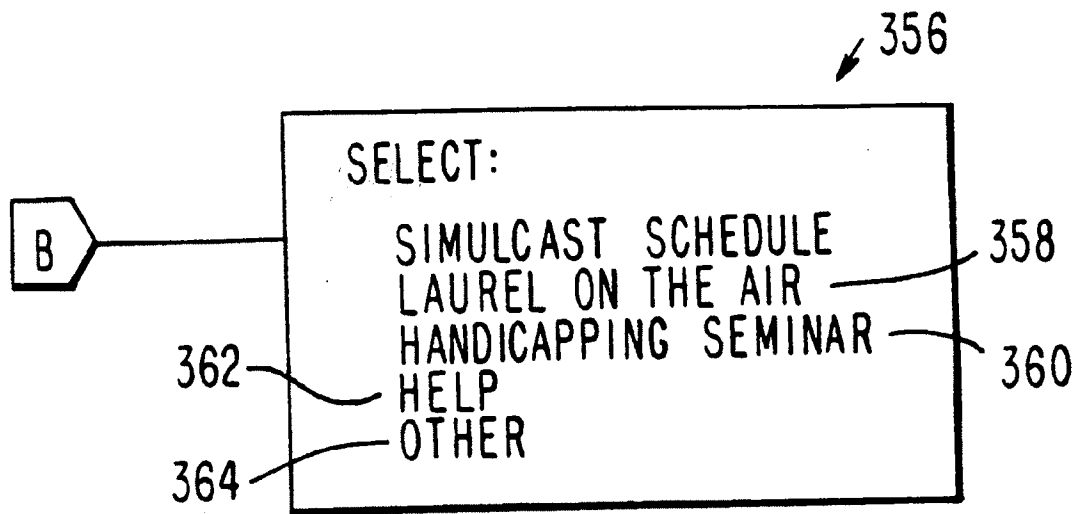


FIG. 4

**FIG. 5**

**FIG. 6**

**FIG. 7**

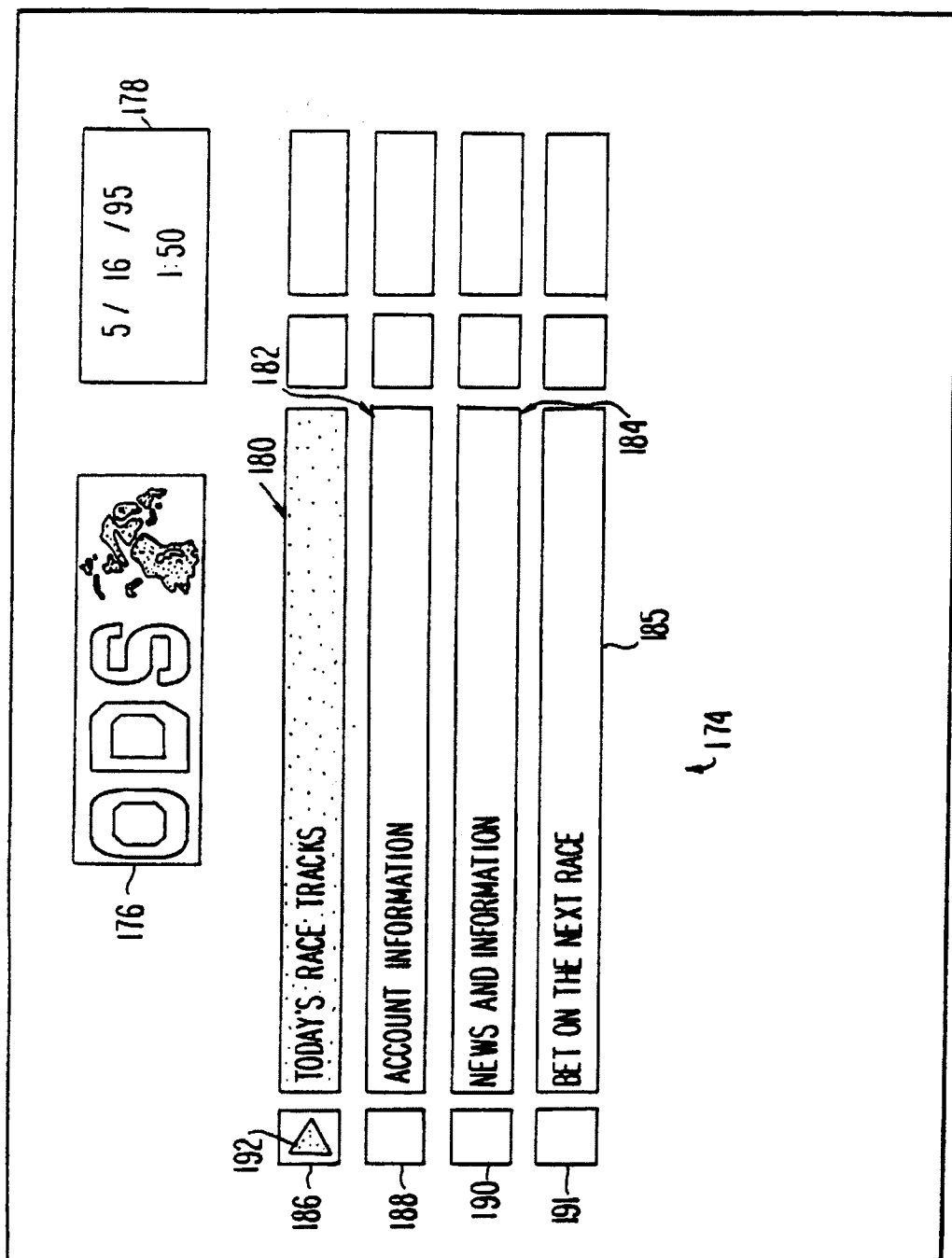




FIG. 8

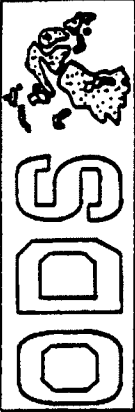
186

<div> <div>  <div> <div>5 / 16 / 95</div> <div>1:50</div> </div> </div> </div>			
<div> <div> <div>192</div> <div>  </div> </div> </div>	<div> <div> <div>198</div> <div> <div>PIMLICO</div> <div>HIALEAH PARK</div> <div>PHILADELPHIA PARK</div> </div> </div> </div>	<div> <div>RACE</div> <div>3</div> </div> <div> <div>2</div> </div> <div> <div>3</div> </div>	<div> <div>POST</div> <div>1:56</div> </div> <div> <div>1:28</div> </div> <div> <div>1:41</div> </div>

200

202

FIG. 9

PIM				5 / 16 / 95 1:50	
<input type="checkbox"/>	RACE 1		F	POST	12:00
<input type="checkbox"/>	RACE 2		F		1:26
<input checked="" type="checkbox"/>	RACE 3				1:56
<input type="checkbox"/>	RACE 4				1:30
<input type="checkbox"/>	RACE 5				2:00
<input type="checkbox"/>	RACE 6				2:30
<input checked="" type="checkbox"/>	CONTINUED				1 OF 2

192

FIG. 10


PIM				5 / 16 / 95 1:50	
<input type="checkbox"/>		<input type="checkbox"/>		POST <input type="checkbox"/> 3:00	
<input checked="" type="checkbox"/>		RACE 7		<input type="checkbox"/>	
<input type="checkbox"/>		RACE 8		<input type="checkbox"/>	
<input checked="" type="checkbox"/>		CONTINUED		<input type="checkbox"/> 2 OF 2	

FIG. 11

208

FIG. 12

218

ODDS

1	20
2	8
3	9-2
4	7-2
5	8
6	3
7	6
8	10
9	8

\$ SELECT AMOUNT \$

1	2	3
4	10	15
20	50	75
100	150	

GO BACK

DONE

220

PIM-3

7:56
19 MIN.
TO POST.

FIG. 13

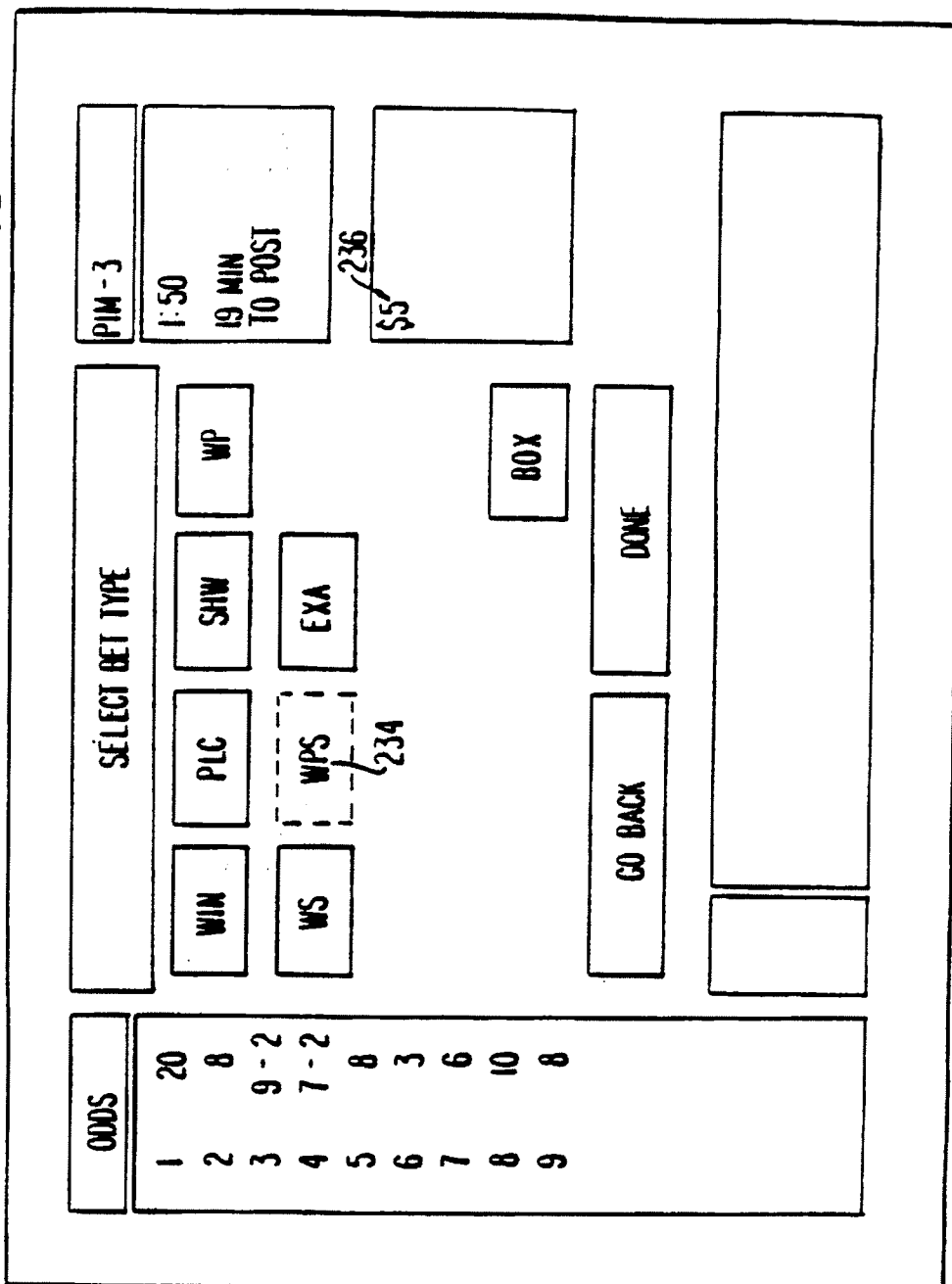


FIG. 14

ODDS

1	20
2	8
3	9-2
4	7-2
5	8
6	3
7	6
8	10
9	8

SELECT BET TYPE

WIN PLC SHW WP

WS WPS EXA

BOX

GO BACK **DONE**

PIM - 3

1:50 19 MIN TO POST

\$ 5 EXA

FIG. 15

<div>ODDS</div> <table> <tr><td>1</td><td>20</td></tr> <tr><td>2</td><td>8</td></tr> <tr><td>3</td><td>9-2</td></tr> <tr><td>4</td><td>7-2</td></tr> <tr><td>5</td><td>8</td></tr> <tr><td>6</td><td>3</td></tr> <tr><td>7</td><td>6</td></tr> <tr><td>8</td><td>10</td></tr> <tr><td>9</td><td>8</td></tr> </table>		1	20	2	8	3	9-2	4	7-2	5	8	6	3	7	6	8	10	9	8	<div>SELECT HORSE</div> <table> <tr> <td>1</td> <td>2</td> <td>3</td> <td>4</td> </tr> <tr> <td>5</td> <td>6</td> <td>7</td> <td>8</td> </tr> <tr> <td>9</td> <td></td> <td></td> <td></td> </tr> </table>		1	2	3	4	5	6	7	8	9				<div>PIM - 3</div>
1	20																																	
2	8																																	
3	9-2																																	
4	7-2																																	
5	8																																	
6	3																																	
7	6																																	
8	10																																	
9	8																																	
1	2	3	4																															
5	6	7	8																															
9																																		
		<div>1:50 19 MIN. TO POST</div>																																
		<div>\$ 5 EXA TOTAL COST \$ 10.00</div>		250																														
		<div>GO BACK</div>	<div>ALL</div>																															
		<div>DONE</div>		252																														
<div>1ST 2ND</div>		<div>6.7 ← 246 2 ← 248</div>																																

FIG. 16

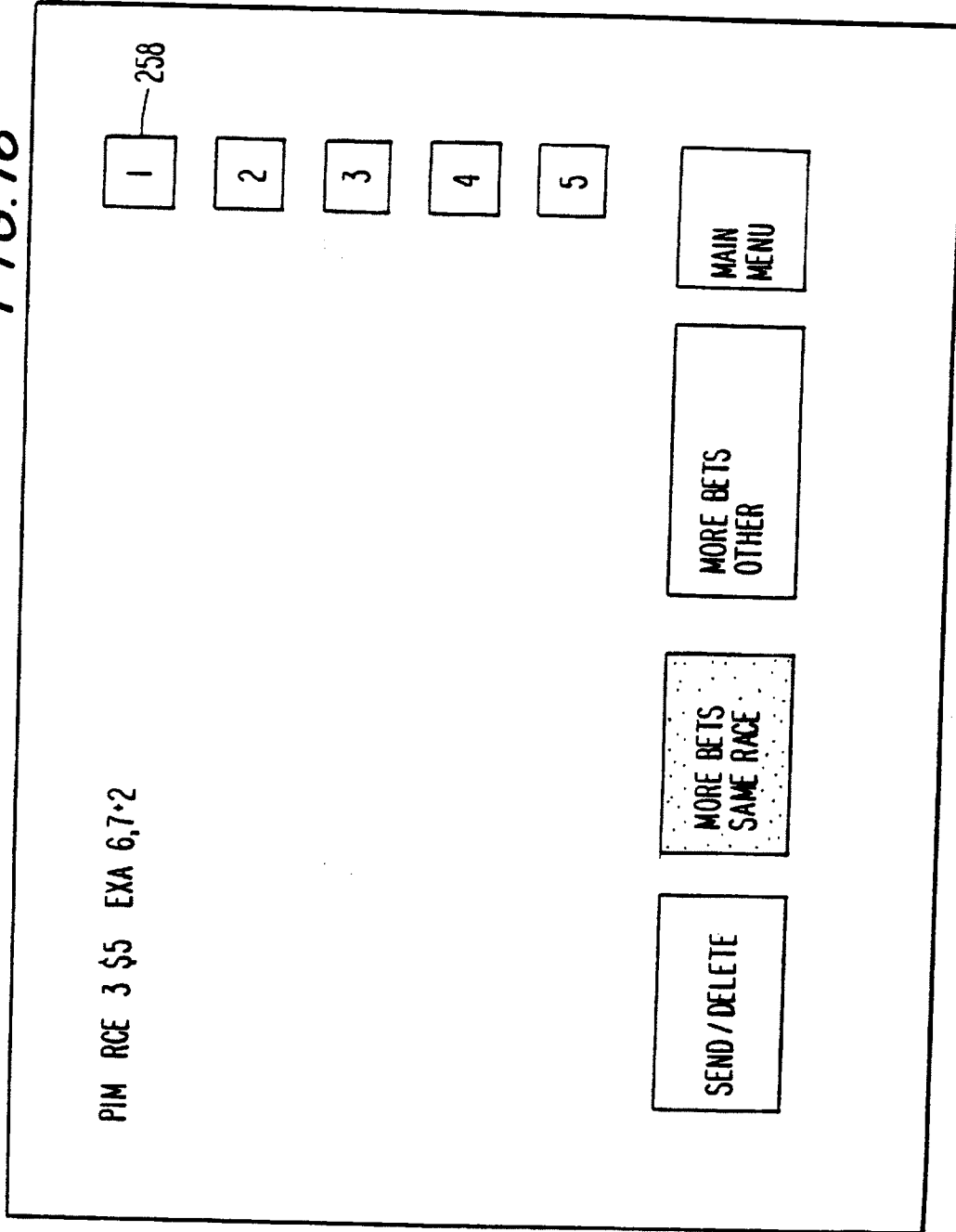
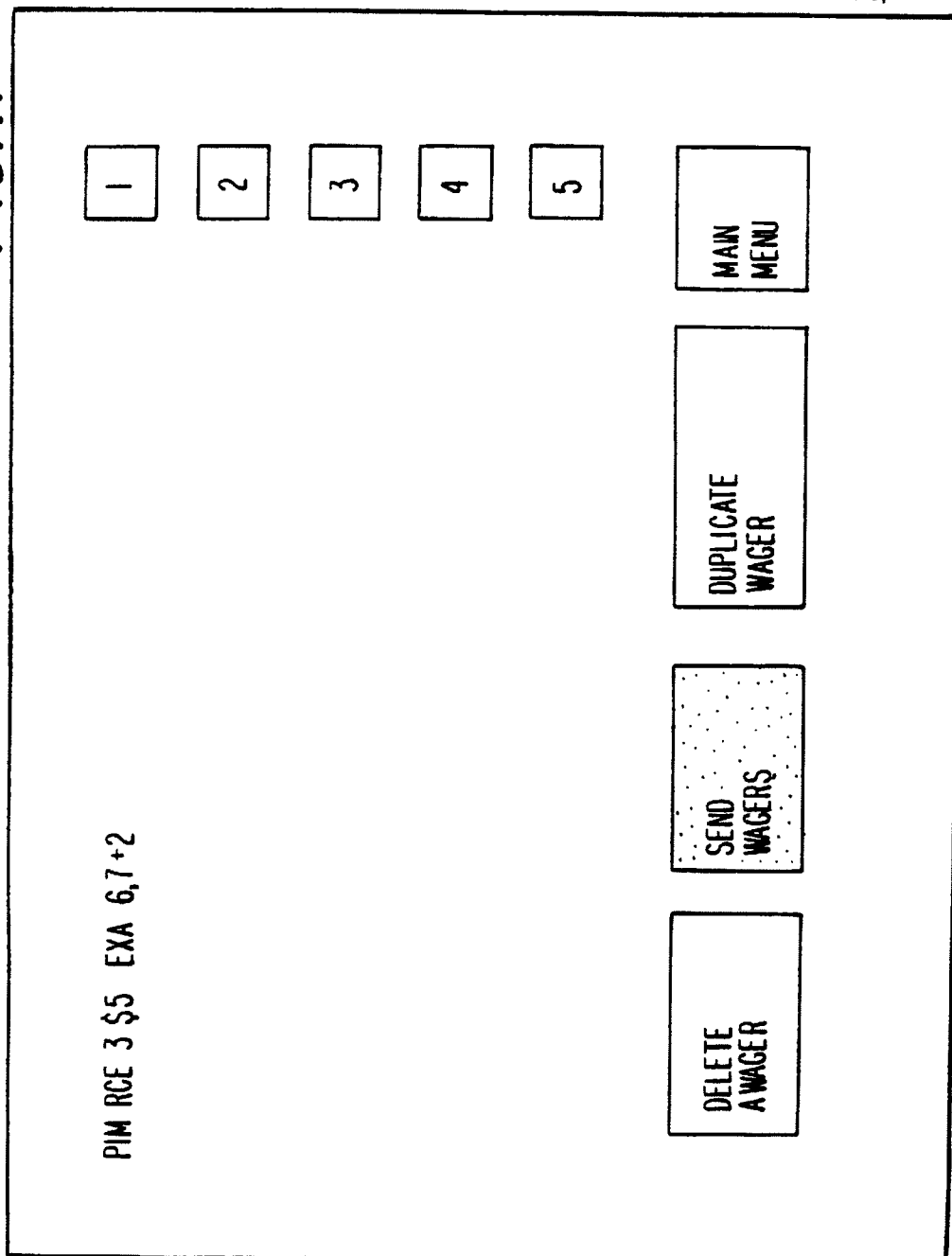
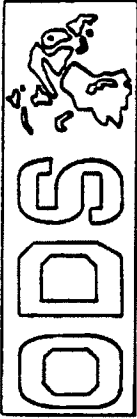


FIG. 17



262

PIM RCE 3				<div>5 / 16 / 95 1:50</div>	
HRS	ODDS	WIN	PLACE	SHOW	
1	20/1	70	19	21	
2	8/1	91	24	12	
3	9/2	126	43	31	
4	7/2	128	17	8	
5	8/1	97	51	32	
6	3/1	340	110	117	
7	6/1	176	61	20	
8	10/1	19	11	5	
TOTALS (ALL)		1102	350	255	

268*FIG. 18*

FIG. 19

ODDS		1 AND		AND 1		PIM - 3	
1	20	--	--			1:50	
2	8	150	159			19 MIN.	
3	9-2	212	222			TO POST	
4	7-2	464	365				
5	8	425	255				
6	3	511	189				
7	6	269	111				
8	10	511	567				
9	8	1277	1022				

EXACTA PAYS

274
POOL: \$ 17,000

(USE UP/DOWN KEYS
FOR NEXT HORSE)

RACE 1	5.00	CL \$17.5K	CR68	\$14.6	AGE 2
P# HORSE NAME	DAYS OFF	W/ST D-SP	MORN. ODDS	POWER RATING	
1. BIG FUZZY	2	0/3	3/1	61.7	298
2. TRAE	13	0/2	6/1	55.5	
3. DIAMOND RIO		0/2	10/1	0.0	
4. BUBBA FORBES		0/2	12/1	0.0	
5. DESIARD	13	0/1	6/1	56.5	
6. BYOU BUM	13	0/2	8/1	56.6	
7. RUN IN THE FAST LANE	2	0/1	12/1	51.2	
8. SURF'S UP DUDE	13	0/1	7/2	57.7	
9. RAJA'S BEST SWIN	13	0/2	10/1	55.7	
USE UP/DOWN KEYS FOR MORE INFO					

278

FIG. 20

304		308		310		312		314				
RACE 1		5.0D		CL \$17.5K		CR68		\$14.6		AGE 2		
P# HORSE NAME		SR		SR D/S		SR HI		CR		CR LAST		
306		0		66		67		68		67		316
1. BIG FUZZY		177		61		61		69		68		
2. TRACE		184		0		0		0		0		
3. DIAMOND RIO		191		0		0		0		0		
4. BUBBA FORBES		198		62		62		68		68		
5. DESIARD		205		61		62		69		68		
6. BYOU BUM		212		58		58		67		67		
7. RUN IN THE FAST LANE		219		54		54		68		68		
8. SURF'S UP DUDE		226		58		62		69		68		
9. ROJA'S BEST SWIN												
USE UP/DOWN ARROW KEYS FOR MORE INFO												

302**FIG. 21**

RACE 1	5.00	CL \$17.5K	CR 68	\$14.6K	AGE 2
P#	HORSE NAME	EARLY	PACE ALL MID	FIN	#R
1.	BIG FUZZY	3.3	3.8	3.0	10
2.	TRACE	3.4	3.7	3.0	10
3.	DIAMOND RIO	⋮	⋮	⋮	⋮
4.	⋮	↑	↑	↑	↑
5.	⋮				
6.		322	324	326	328
7.					
8.					
9.					
USE UP/DOWN KEYS FOR MORE INFO					

320**FIG. 22**

RACE 1	5.0D	CL \$17.5K	CR68	\$14.6K	AGE 2
P#	JOCKEY/TRAINER	WINS	1	2	3
1.	HERBERT, JR / BISANO	2	2	4	2
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
USE UP/DOWN KEYS FOR MORE INFO					

332

FIG 23

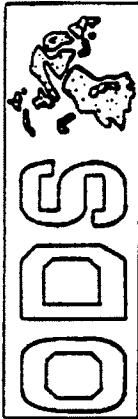
PIM RCE 2		5 / 16 / 95 1:50	
RESULTS			
	WIN	PLACE	SHOW
9	8.60	4.00	2.80
340 ↗ 1		3.20	2.40
2			2.40

FIG. 24

5 / 16 / 95
1:50

WTOP 1500AM - RACE DAYS AT 11:15AM
SUNDAYS AT 11:30AM

WBAL 1090AM - RACE DAYS AT 10:05AM

WTOP 1500AM - SCRATCHES WITH CLEM FLORIO
RACE DAYS AT 10:20AM, SUNDAYS AT 10:00AM

WWLG 1360AM - RACE RESULTS WITH CLEM
FLORIO. RACE DAYS AT 2:10, 3:45.

FIG.25

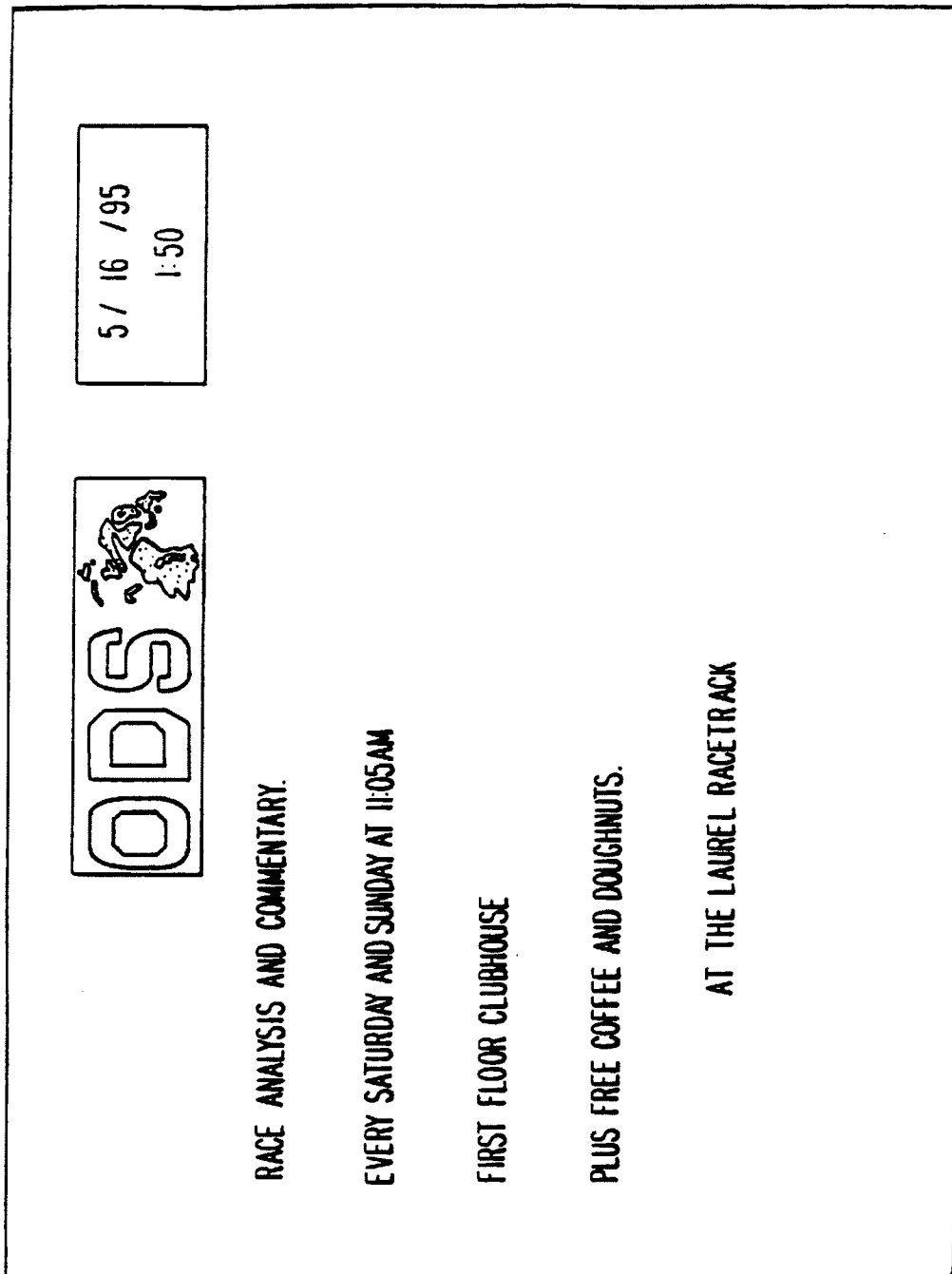


FIG. 26

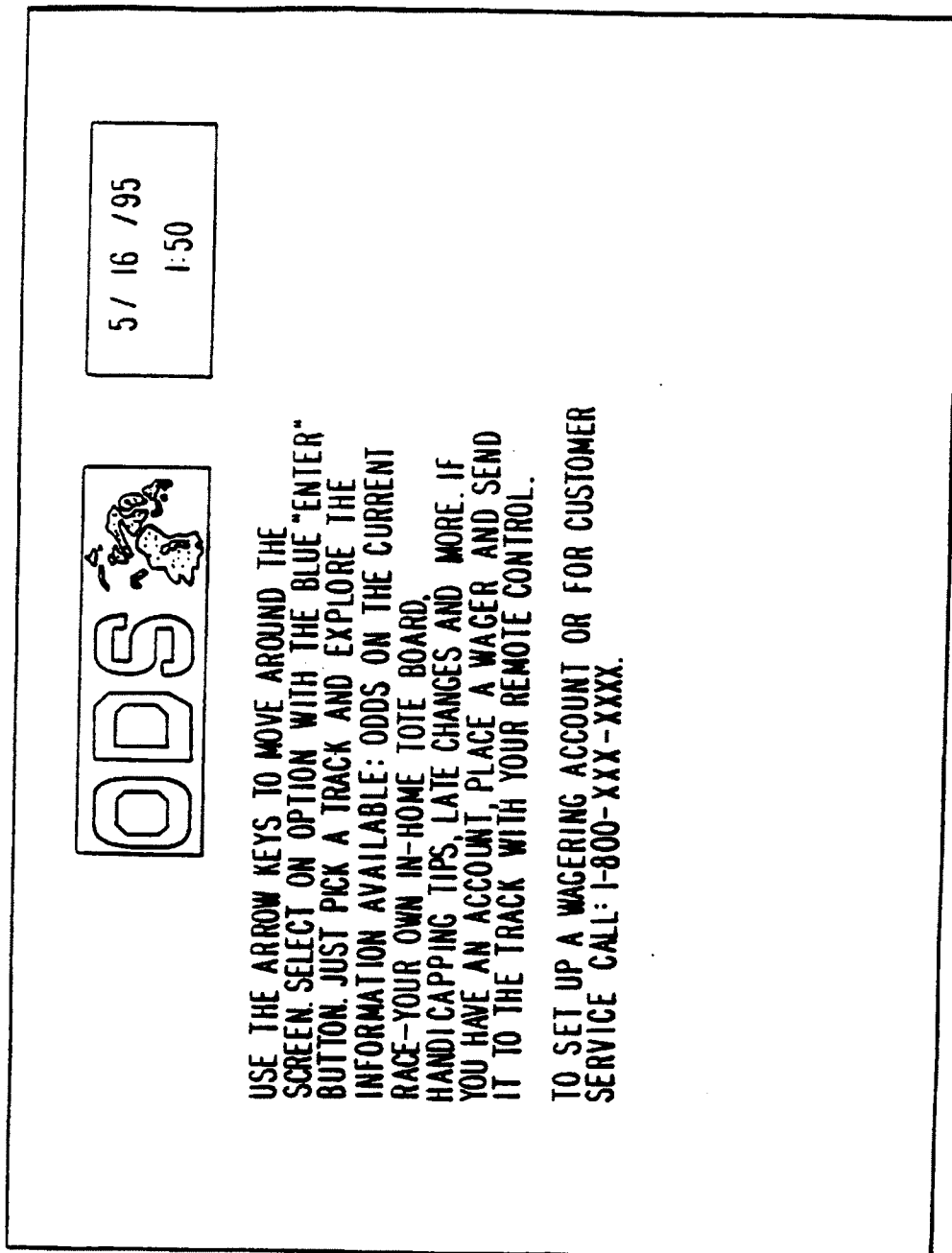
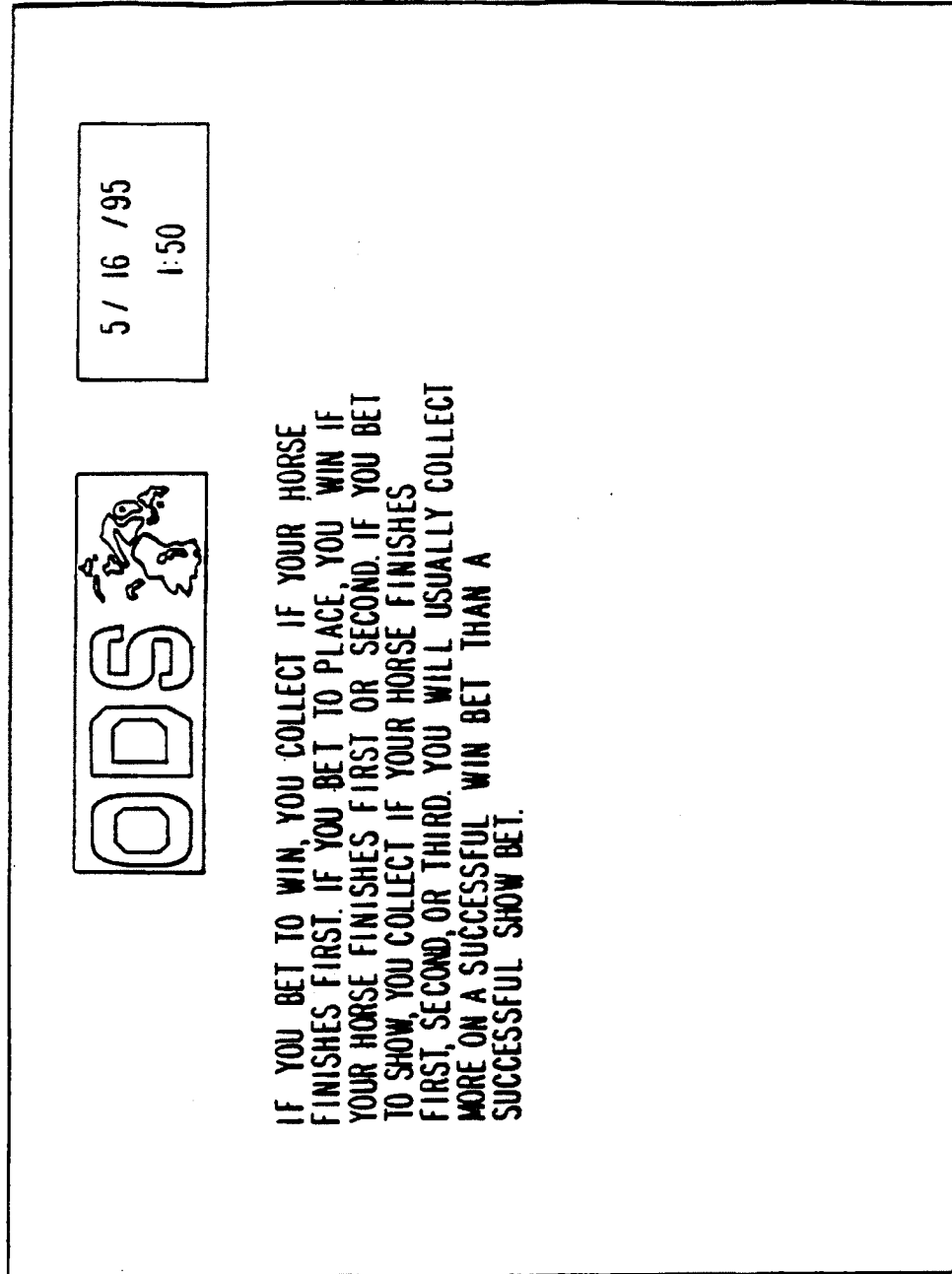


FIG. 27

*FIG. 28*

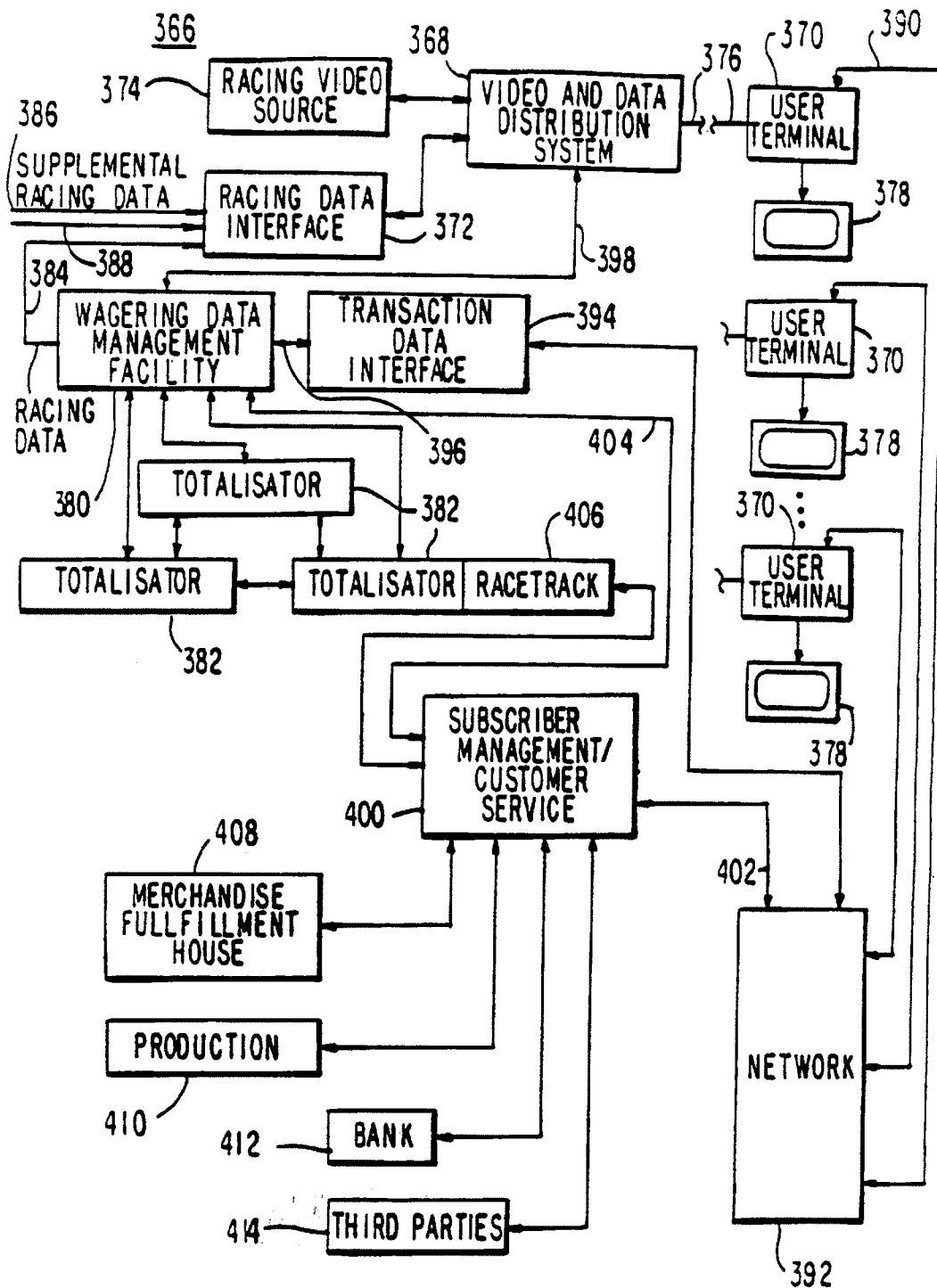


FIG. 29

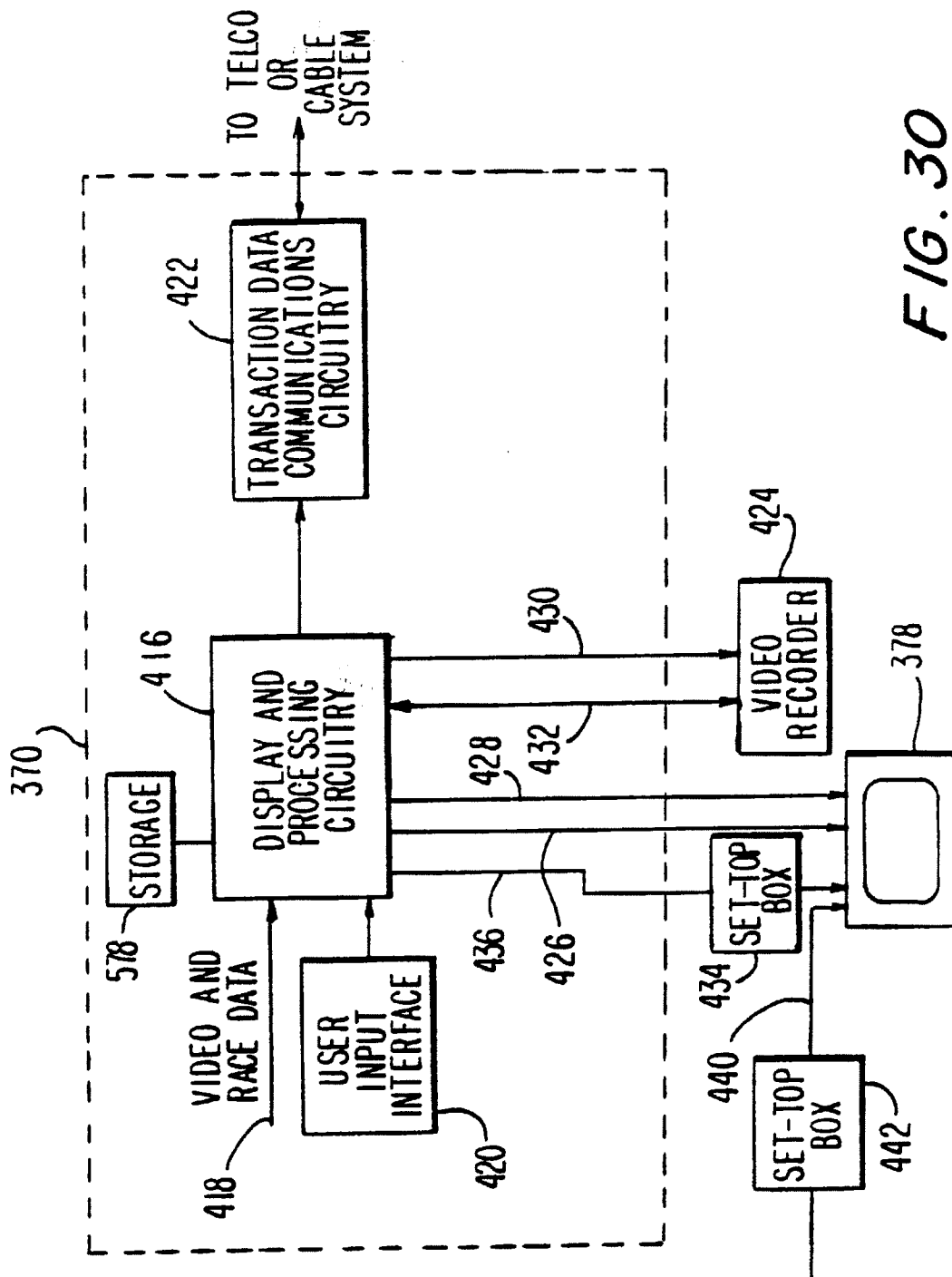
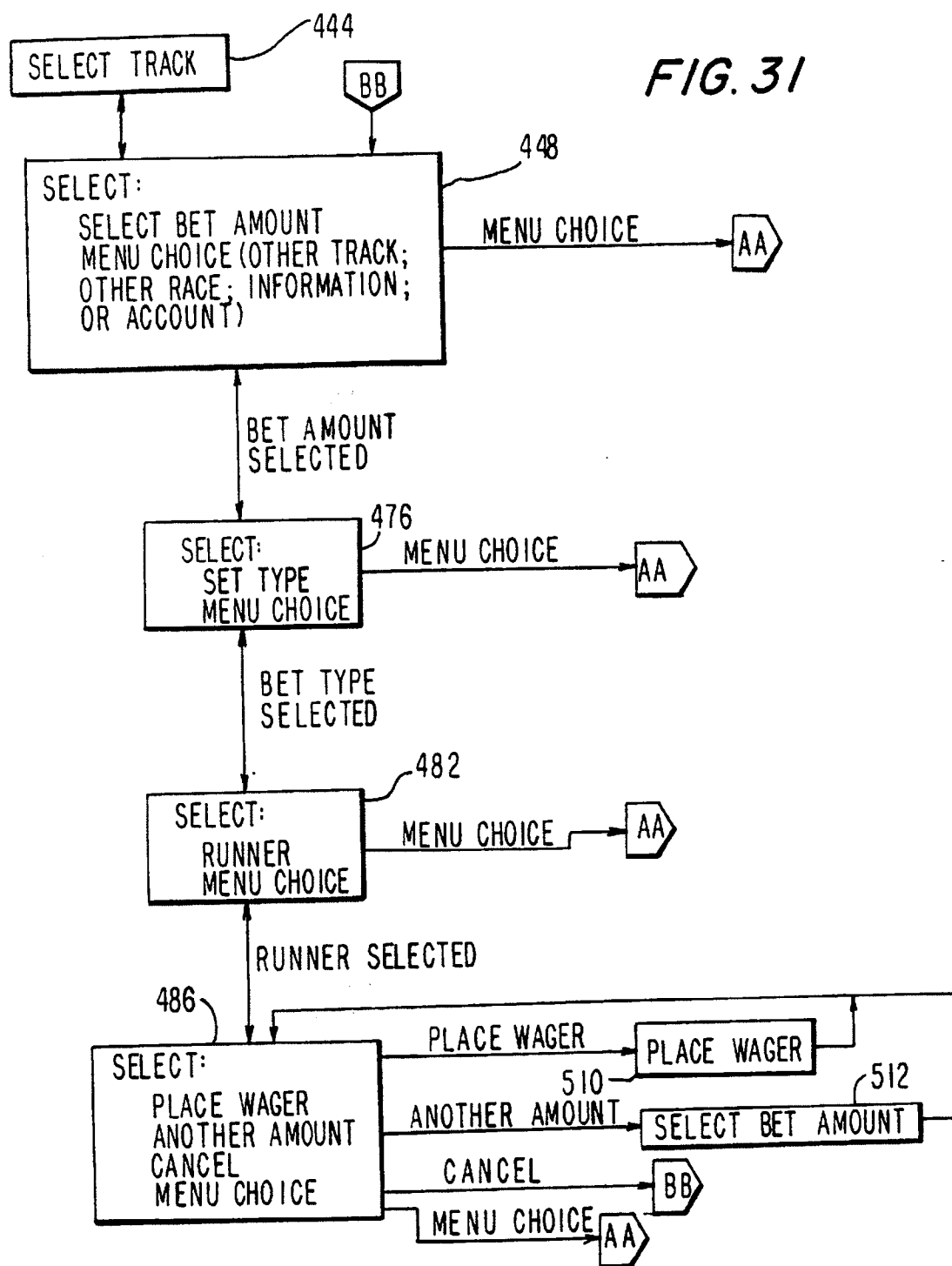


FIG. 30



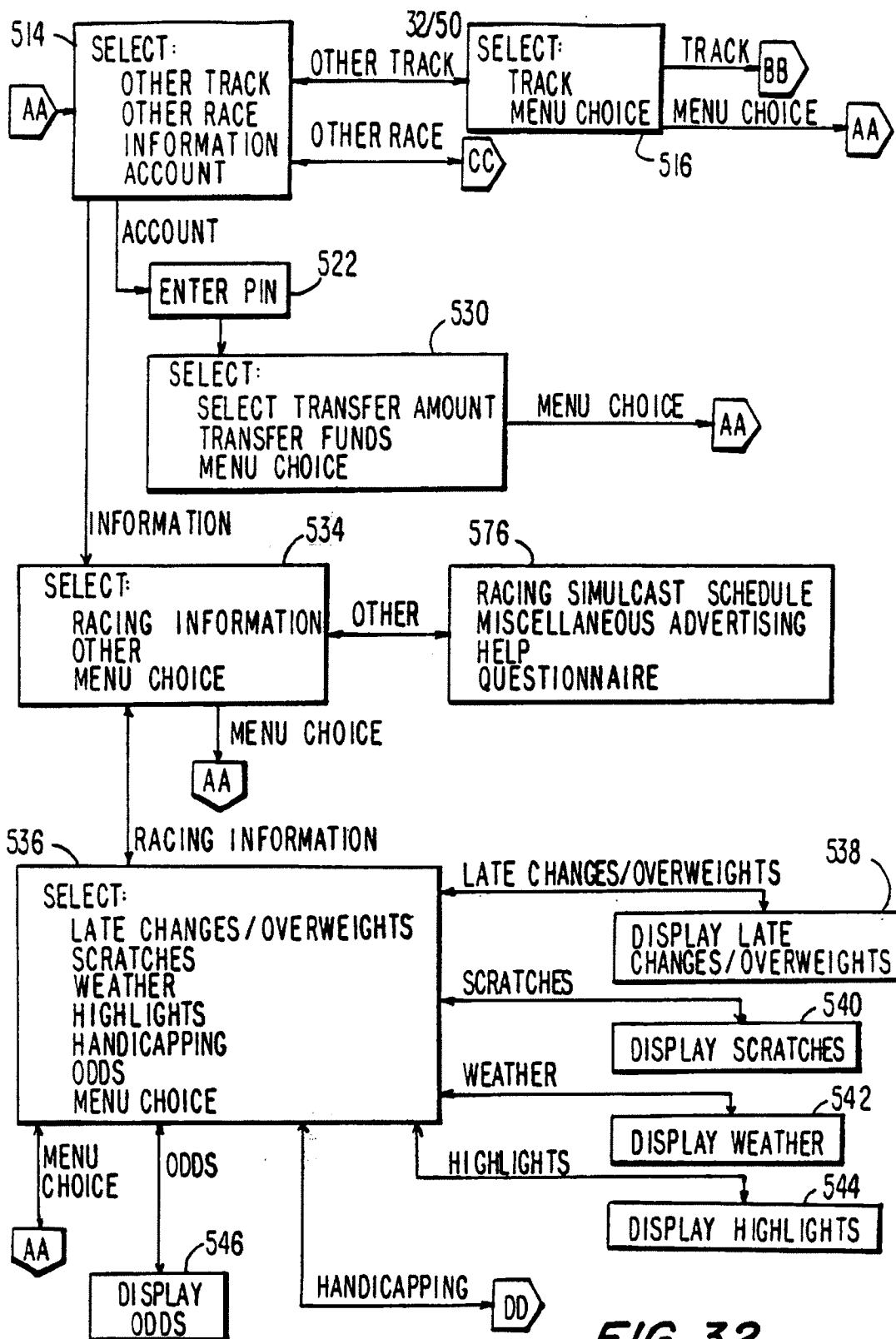
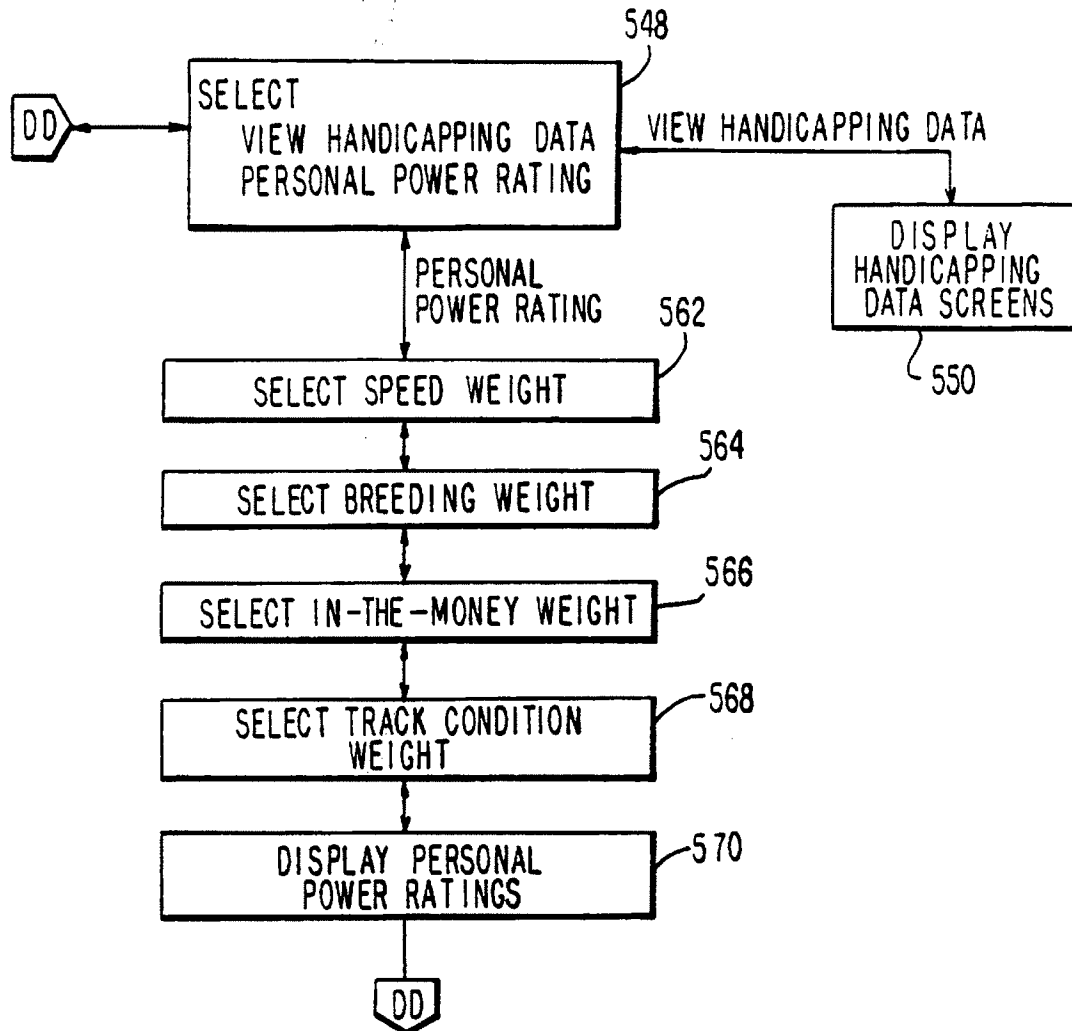


FIG. 32

**FIG. 33**

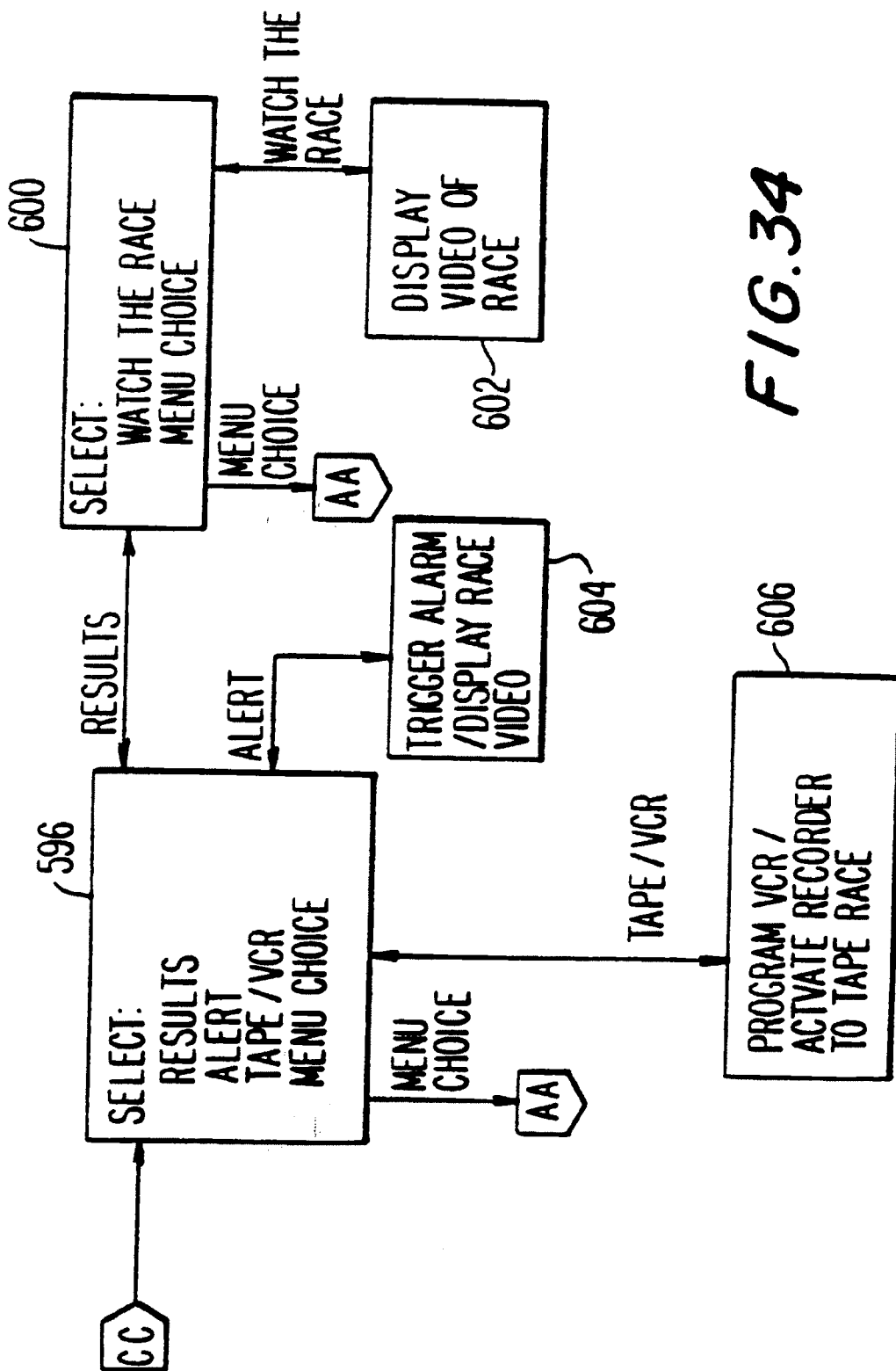


FIG. 34

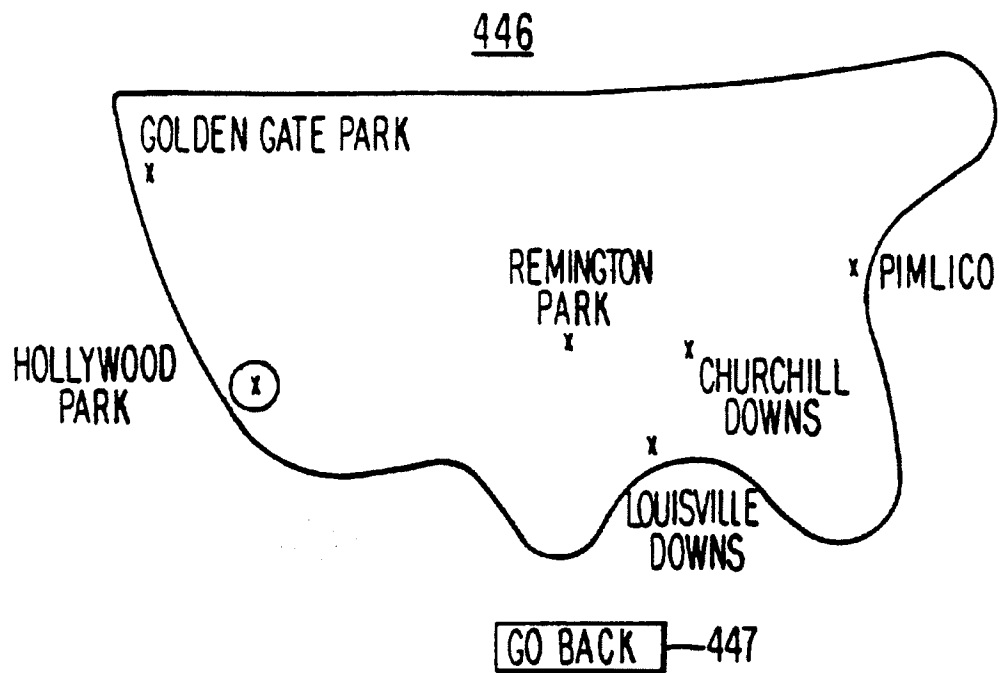


FIG. 35

466
458
464

460
CHURCHILL DOWNS

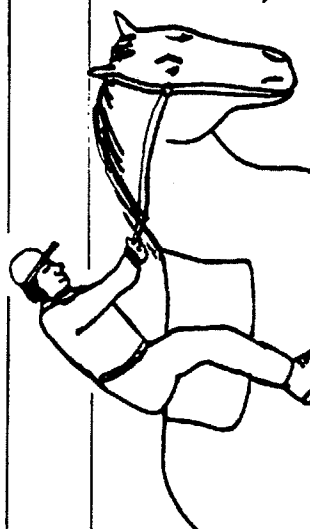
1
2
3
4
5
6

4
3
5/2
8
22
12

462
RACE 2 MIN TO POST 9

7
8
9

9/5
14
3

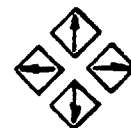


472
470

468
474

←
BACK
→

←
SELECT
→



SELECT BET AMOUNT

\$1	\$2	\$3	\$4	\$5
\$10	\$20	\$50	\$100	\$500

OTHER TRACK

OTHER RACE

INFORMATION

ACCOUNT

450
452
454
456

FIG. 36

CHURCHILL DOWNS
RACE 2 MIN TO POST 9

1	4
2	3
3	5/2
4	8
5	22
6	12

7	9/5
8	14
9	3

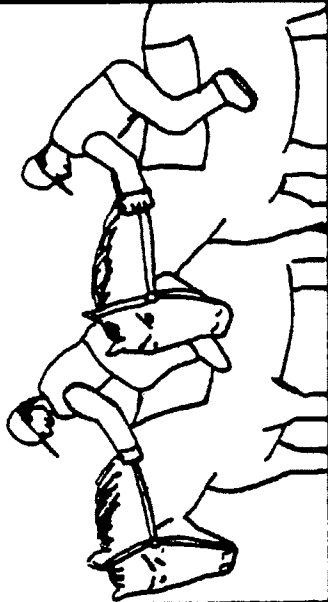
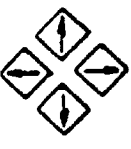
SELECT BET TYPE

WIN	PLACE	SHOW	EXACTA
TRIFECTA	QUINIELA	PICK 6	DAILY DOUBLE
OTHER TRACK	OTHER RACE	INFORMATION	ACCOUNT

BACK
SELECT

450
452
454
456

FIG. 37

CHURCHILL DOWNS		RACE 2 MIN TO POST 9	
<div style="border: 1px solid black; padding: 5px;"> 1 2 3 4 5 6 4 3 5/2 8 22 12 </div>	<div style="border: 1px solid black; padding: 5px;"> 7 8 9 9/5 14 3 </div>		
SELECT HORSES			
<div style="border: 1px solid black; padding: 5px;"> BACK </div>	<div style="border: 1px solid black; padding: 5px;"> SELECT </div>		
1	2	3	4
7	8	9	6
OTHER TRACK		OTHER RACE	
INFORMATION		ACCOUNT	

484

FIG. 38


CHURCHILL DOWNS		RACE 2 MIN TO POST 9	
<div> <div>1 2 3 4 5 6</div> <div>4 3 5/2 8 22 12</div> </div>		<div> <div>7 8 9</div> <div>9/5 14 3</div> </div>	
<div> <div>BACK</div> <div>SELECT</div> <div>  </div> </div>		<div> <div>WAGER 1</div> <div>AMOUNT</div> <div>BET</div> <div>HORSE (S)</div> </div>	
		<div> <div>498</div> <div>\$5</div> <div>500</div> <div>502</div> </div>	
		<div> <div>WIN</div> <div>8</div> </div>	
		<div> <div>488</div> <div>PLACE WAGER</div> </div>	
		<div> <div>490</div> <div>ANOTHER AMOUNT</div> </div>	
		<div> <div>492</div> <div>CANCEL</div> </div>	
		<div> <div>450</div> <div>OTHER TRACK</div> </div>	
		<div> <div>452</div> <div>OTHER RACE</div> </div>	
		<div> <div>454</div> <div>INFORMATION</div> </div>	
		<div> <div>456</div> <div>ACCOUNT</div> </div>	

FIG. 39

494

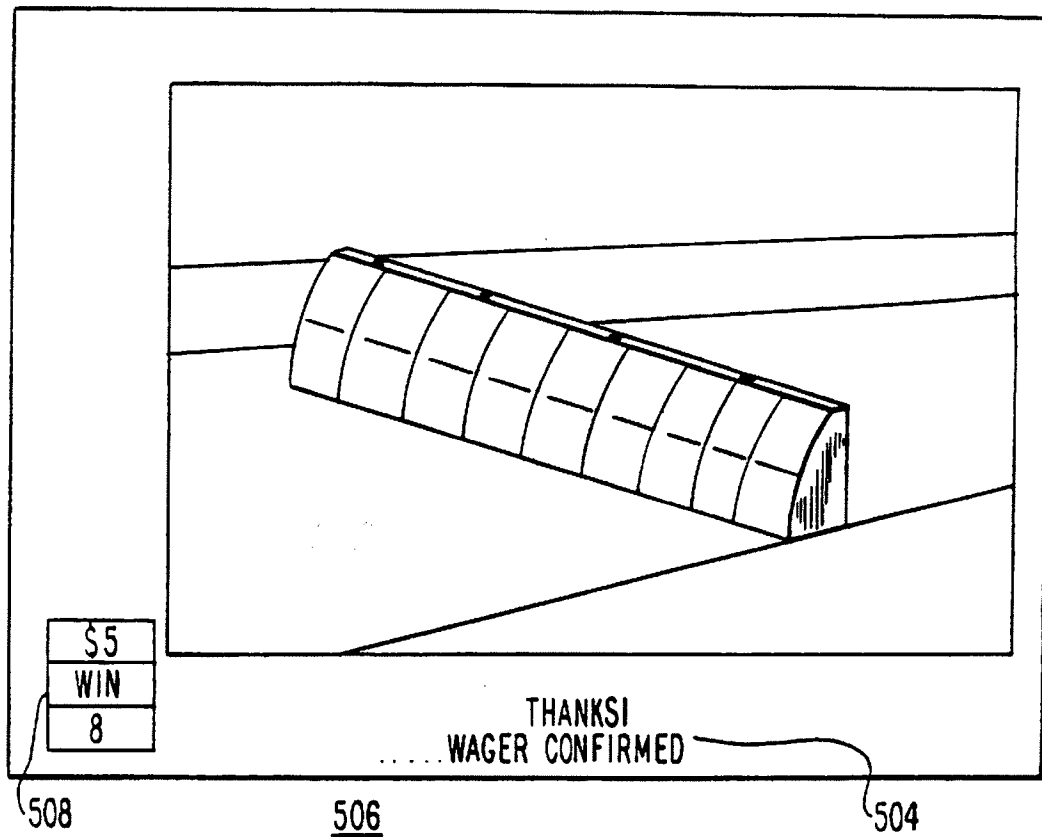

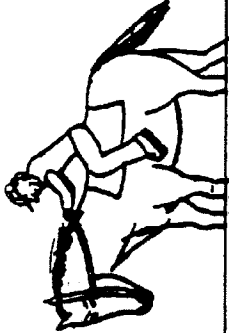



FIG. 40

CHURCHILL DOWNS		RACE 2 MIN TO POST 9	
<div> <div>1 2 3 4 5 6</div> <div>4 3 5/2 8 22 12</div> </div>		<div> <div>7 8 9</div> <div>9/5 14 3</div> </div>	
<div> <div>← BACK</div> <div>SELECT →</div> <div>  </div> </div>		<div> <div>SELECT TRACK</div> <div>REMINGTON PARK</div> <div>LAUREL</div> <div>OAKLAND</div> <div>BELMONT</div> </div>	
		<div> <div>OTHER TRACK</div> <div>OTHER RACE</div> <div>INFORMATION</div> <div>ACCOUNT</div> </div>	



518

FIG. 41

CHURCHILL DOWNS		RACE 2 MIN TO POST 9	
<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"> 1 2 3 4 5 6 4 3 5/2 8 22 12 </div> <div style="border: 1px solid black; padding: 2px;"> 7 8 9 9/5 14 3 </div>			
ENTER PIN			
<div style="text-align: center; margin-bottom: 10px;"> ← BACK → </div> <div style="text-align: center;"> ← SELECT → </div> <div style="text-align: center; margin-top: 10px;">  </div>	<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">521- 0</div> <div style="text-align: center;">0</div> <div style="text-align: center;">0</div> <div style="text-align: center;">0</div> <div style="text-align: center;">521- 0</div> </div>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">OTHER TRACK</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">OTHER RACE</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">INFORMATION</div> <div style="border: 1px solid black; padding: 5px;">ACCOUNT</div>	


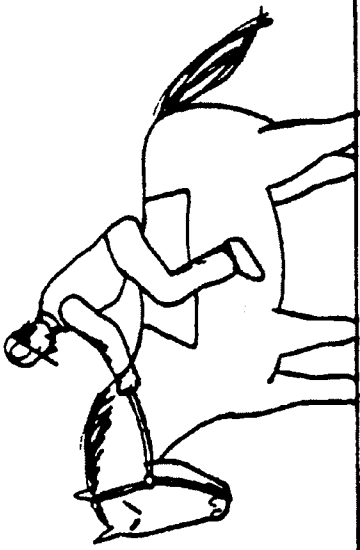
520

FIG. 42

CHURCHILL DOWNS		RACE 2 MIN TO POST 9	
<div> <div>1 2 3 4 5 6</div> <div>4 3 5/2 8 22 12</div> </div>		<div> <div>7 8 9</div> <div>9/5 14 3</div> </div>	
			
<div> <div>← BACK</div> <div>SELECT →</div> <div>  </div> </div>		<div> <div>ODS ACCOUNT BALANCE</div> <div>\$ 180.20</div> </div>	
<div>SELECT TRANSFER AMOUNT</div>			
<div>\$10</div>		<div>\$20</div>	<div>\$50</div>
		<div>\$100</div>	<div>\$500</div>
		<div>TRANSFER FUNDS</div>	
<div>OTHER TRACK</div>		<div>OTHER RACE</div>	<div>ACCOUNT</div>

524

FIG. 43

CHURCHILL DOWNS		RACE 2 MIN TO POST 9	
<div> <div>1 2 3 4 5 6</div> <div>4 3 5/2 8 22 12</div> </div>		<div> <div>7 8 9</div> <div>9/5 14 3</div> </div>	
<div> <div>← BACK</div> <div>SELECT →</div> <div>  </div> </div>		<div> <div>SELECT INFORMATION CATEGORY</div> <div>LATE CHANGES/OVERWEIGHTS</div> <div>SCRATCHES</div> <div>WEATHER</div> <div>HANDICAPPING</div> <div> <div>OTHER TRACK</div> <div>OTHER RACE</div> <div>INFORMATION</div> <div>ACCOUNT</div> </div> </div>	
			

538

FIG. 44

<u>RUNNER NO.</u>	<u>ODDS</u>	<u>ODDS PERCENTAGE</u>
1	20	5.0 %
2	8	12.5 %
3	9/2	22.2 %
4	7/2	28.6 %
5	9/5	55.6 %
6	3	33.3 %
7	6	16.7 %
8	5	20.0 %
9	10	10.0 %

FIG. 45

CHURCHILL DOWNS		RACE 2 MIN TO POST 9																																																			
<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> 1 4 2 3 3 5/2 4 8 5 22 6 12 </div>	<div style="border: 1px solid black; padding: 5px;"> 7 9/5 8 14 9 3 </div>																																																				
SELECT YOUR PERSONAL POWER RATING																																																					
SPEED BREEDING IN-THE-MONEY TRACK CONDITION	<div style="margin-bottom: 5px;">554 →</div> <div style="margin-bottom: 5px;">← BACK 556</div> <div style="margin-bottom: 5px;">→ SELECT 558</div> <div style="margin-bottom: 5px;">← 560</div>	<table border="1" style="width: 100%; height: 100%; border-collapse: collapse;"> <tr><td style="height: 40px; width: 15%;">1</td><td style="width: 15%;">2</td><td style="width: 15%;">3</td><td style="width: 15%;">4</td><td style="width: 15%;">5</td></tr> <tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td></tr> <tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td></tr> <tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td></tr> <tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td></tr> </table>	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	<table border="1" style="width: 100%; height: 100%; border-collapse: collapse;"> <tr><td style="height: 40px; width: 15%;">1</td><td style="width: 15%;">2</td><td style="width: 15%;">3</td><td style="width: 15%;">4</td><td style="width: 15%;">5</td></tr> <tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td></tr> <tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td></tr> <tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td></tr> <tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td></tr> </table>	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
1	2	3	4	5																																																	
1	2	3	4	5																																																	
1	2	3	4	5																																																	
1	2	3	4	5																																																	
1	2	3	4	5																																																	
1	2	3	4	5																																																	
1	2	3	4	5																																																	
1	2	3	4	5																																																	
1	2	3	4	5																																																	
1	2	3	4	5																																																	
OTHER TRACK	OTHER RACE	INFORMATION	ACCOUNT																																																		

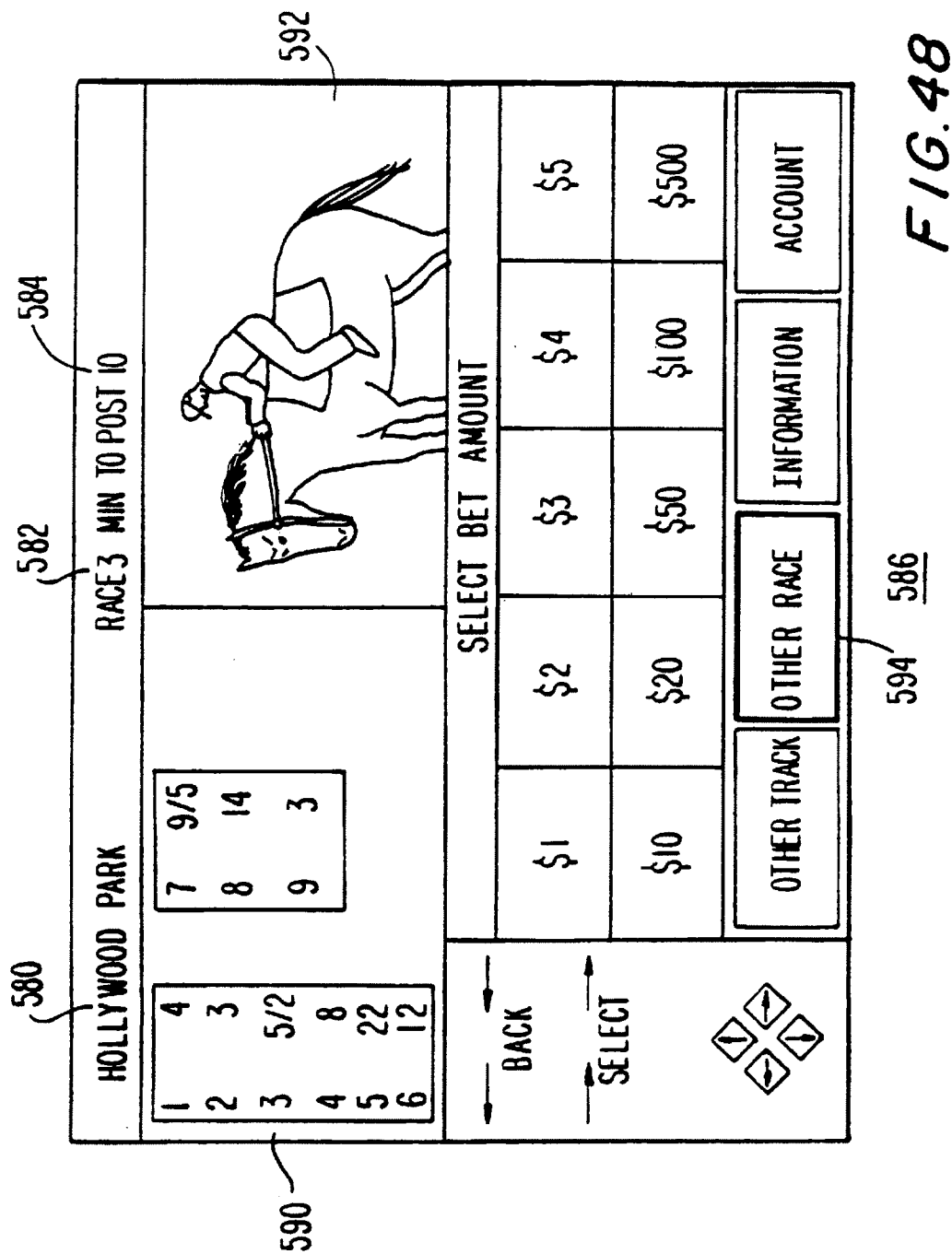
552

FIG. 46

FIG. 47

ODS		PERSONAL POWER RATING RACE 3									
1											65
2											57
3											72
4											77
5											85
6											69
7											79
8											81
9											62

572



HOLLYWOOD PARK		RACE 3 MIN TO POST	
<div> <div>1 2 3 4 5 6</div> <div>4 3 5/2 8 22 12</div> </div>		<div> <div>7 8 9</div> <div>9/5 14 3</div> </div>	
<div> <div>BACK</div> <div>SELECT</div> <div> </div> </div>		<div> </div>	
<div> <div>608 610</div> <div>SELECT RACE</div> <div>612</div> </div>			
RACE 1	RESULTS	ALERT	TAPE/VCR
RACE 2	RESULTS	ALERT	TAPE/VCR
RACE 3	RESULTS	ALERT	TAPE/VCR
RACE 4	RESULTS	ALERT	TAPE/VCR
OTHER TRACK	OTHER RACE	INFORMATION	ACCOUNT

FIG. 49







HOLLYWOOD PARK		RACE 1		OFFICIAL
4 CALAMITY JANE	8.60	6.00	3.20	
10 CISCO KID	4.60	2.80		
6 CASH-IN-HAND		2.40		
EX: \$ 62.80	TRI: \$ 128.40	1:12 2/5		
<div> <div>   </div> <div>   </div> </div> <div> <div>BACK</div> <div>SELECT</div> </div> <div>  </div>				RESULTS
<div> <div>WATCH THE RACE!</div> <div>99¢</div> </div>				
<div> <div>OTHER TRACK</div> <div>OTHER RACE</div> <div>INFORMATION</div> <div>ACCOUNT</div> </div>				

FIG. 50

INTERACTIVE WAGERING SYSTEMS AND PROCESSES

This is a continuation of application Ser. No. 09/138,953, filed Aug. 24, 1998, now U.S. Pat. No. 6,004,211, which is a continuation of patent application Ser. No. 08/526,007, filed Sep. 8, 1995, now U.S. Pat. No. 5,830,068.

BACKGROUND OF THE INVENTION

This invention relates to interactive wagering systems and particularly to interactive wagering systems for racetrack wagering. More particularly, this invention relates to off-track interactive wagering systems having user terminals for receiving racing videos and racing information via a medium other than conventional telephone lines and for displaying this information on a television monitor.

Wagering on sporting events such as horse, dog, and harness racing is a popular leisure activity. However, it is sometimes inconvenient to attend racing events in person. Not all racing fans have sufficient time to visit racetracks as often as they would like and some fans have difficulties in obtaining suitable transportation to the track. Thus, there is a need for wagering services for fans who cannot attend racing events in person.

Off-track betting establishments, which are generally more readily accessible than racetracks, have attempted to fill this need. However, a racing fan who desires to place a wager still faces the prospect of traveling to the off-track betting establishment.

Wagering via telephone is another option. A user of a telephone-based system typically sets up a telephone account against which wagers may be made. In order to place wagers, the user must interact with a computerized telephone ordering system by pressing appropriate buttons on a touch-tone telephone. This type of system is mainly used for placing wagers. Detailed racing information is typically obtained from other sources, such as printed racing programs.

Another approach for off-track wagering involves the use of dedicated devices that permit two-way serial modem communications with wagering equipment at a racetrack. These devices receive limited wagering information from the racetrack via telephone lines and provide it to a user on a liquid crystal display (LCD) screen. The user places a wager by making entries into the device which are then transmitted to the racetrack using the modem. Typical of this category of off-track wagering device are the Tiny TIM terminal of Autotote Systems, Inc., Newark, Del. and the terminal sold under the trademark "BetMate" of AmTote, Hunt Valley, Md.

Although it is possible to use terminals such as these in the home, doing so would monopolize the users' telephone line at certain times. And because the only data link with the racetrack using terminals such as the Tiny TIM or BetMate terminals is via telephone, it is not possible to receive racing videos with such terminals. In addition, the LCDs in these terminals make it difficult to display racing information in a way that may be easily viewed by the user. Because the Tiny TIM and BetMate terminals cannot be used with a television monitor, it is not possible for a user of such a terminal to display racing information on his home television set. Further, systems capable of interacting with off-track wagering terminals that use telephone lines to receive wagering information must provide a large number of simultaneous telephone connections to service each of the terminals. Because there is typically an extended connect time associated with each user, such systems are often unwieldy.

In addition, the racing information available through known off-track betting terminals is limited to a subset of the racing information provided by the racetracks. For example, presently available terminals may allow a user to view "win" odds (the amount wagered on a runner to win versus the amount wagered on competing runners to win). However, such terminals do not allow the user to view odds, pools, or predicted payoffs for wagers such as show, place, or more advanced wager types, such as exactas, trifectas, daily doubles, pick threes, pick fours etc.

Further, with presently known terminals, the user cannot receive or display any additional information, such as handicapping information, weather conditions, or information regarding which races at a particular track are available as video transmissions on a given day.

It would therefore be desirable to provide interactive wagering systems and processes that provide racing data to off-track wagering terminals via a medium other than conventional telephone lines.

It would also be desirable to provide interactive wagering systems and processes that provide racing data to off-track wagering terminals that display the racing data on a home television monitor.

It would also be desirable to provide wagering systems and processes that provide racing data and racing videos to off-track wagering terminals on which the racing data and racing videos are displayed.

It would also be desirable to be able to provide wagering systems and processes that provide an improved level of racing data to off-track wagering terminals.

SUMMARY OF THE INVENTION

It is therefore an object of this invention to provide interactive wagering systems and related processes for off-track wagering in which a user terminal receives racing data and video signals, displays the racing data on a monitor, and transmits wagers to a wagering facility.

It is also an object of the invention to provide interactive wagering systems and related processes for off-track wagering in which a user terminal receives racing data from a cable headend or other transmission facility.

It is also an object of the invention to provide interactive wagering systems and related processes for off-track wagering in which a user terminal receives racing data within the bandwidth of a television channel.

It is also an object of the invention to provide interactive wagering systems and related processes for off-track wagering in which a user terminal provides a user with menu options allowing selection of a racetrack, a set of races within a racetrack (e.g., a morning or afternoon "performance"), a race, a wager type, wager amount, and runners.

It is also an object of the invention to provide interactive wagering systems and related processes for off-track wagering in which a user terminal provides racing odds, pools, predicted and actual payoffs, and handicapping information.

It is also an object of the invention to provide interactive wagering systems and related processes for off-track wagering in which a user terminal provides odds for wager types other than win odds, such as the odds for shows, places, exactas, trifectas, daily doubles, etc.

It is also an object of this invention to provide interactive wagering systems and related processes for off-track wagering in which a user terminal receives racing data from a racing data interface and racing videos from a source of

racing videos and simultaneously displays the racing data and video signals on a monitor.

It is also an object of the invention to provide interactive wagering systems and related processes for off-track wagering in which a user terminal presents a racing simulcast schedule on a monitor.

It is also an object of the invention to provide interactive wagering systems and related processes for off-track wagering in which a user terminal allows a user to calculate a personal power rating based on the selection by the user of personal power rating "weights" for various handicapping categories. The user terminal calculates and displays a corresponding set of personal power ratings for a number of runners.

It is also an object of the invention to provide interactive wagering systems and related processes for off-track wagering in which a user terminal displays race results in the form of prerecorded race videos supplied to a user on demand.

It is also an object of the invention to provide interactive wagering systems and related processes for off-track wagering in which a user terminal alerts a user that a race is about to be run by triggering an alarm.

It is also an object of the invention to provide interactive wagering systems and related processes for off-track wagering in which a user terminal sets a video recorder to record one or more preselected races.

It is also an object of the invention to provide interactive wagering systems and related processes for off-track wagering in which a user terminal transmits transfer instructions that initiate a transfer of funds from a bank account at a bank facility to a wagering account at a wagering facility or allows the user to draw directly from his bank account when placing wagers.

The present invention involves off-track wagering systems and related processes. Racing data such as the names and post positions of the runners that are in various races and the current odds and payoffs for those races are provided by a wagering facility (typically based on a system known as a "totalisator" located at a racetrack). Supplemental racing data such as the weather conditions at various racetracks may be provided by additional sources. A computer-based data concentrator processes the racing data from the totalisator and any additional sources and provides the racing data to a television network—typically at a main distribution node for a cable television network known as the "headend" facility. The cable headend provides the racing data to a number of user terminals. Typically, the cable headend provides the racing data with video signals on at least one television channel. Suitable approaches involve providing the racing data on a sideband or on a separate television channel.

If desired, the racing data may be distributed via satellite. With this approach, the racing data are provided within an available portion of the bandwidth of the television channel either in an available portion of the bandwidth of an analog television channel or as a portion of a digital television channel. Further, the racing data may be provided on a separate satellite channel or may be broadcast using a radio or television broadcast system.

Each user terminal receives the video signals and the racing data and separates out the racing data. Racing data are displayed on a monitor (preferably a conventional television monitor) using display and control circuitry. The racing data that may be displayed include odds, pools, and predicted and actual payoffs for selected wager types, races, and runners. The odds, pools, and payoffs for sophisticated wager types,

such as exactas, trifectas, and daily doubles may be provided due to the relatively high bandwidth pathway that is made available between the data concentrator and each user terminal.

Another aspect of the invention relates to simultaneously displaying racing videos and racing data on a monitor. Racing data are provided from totalisators and from third party sources. A racing data interface processes the racing data and provides the processed data to a video and data distribution system. The racing video source provides racing videos to the video and data distribution system from a source of racing videos, such as live video feeds from racetracks.

The video and data distribution system may involve satellite distribution or distribution via a cable headend facility. Regardless of the medium over which the racing data and racing videos are distributed, the racing data are preferably provided with the racing videos on at least one television channel. One suitable approach for distribution of the racing data uses a frequency modulated carrier on a sideband of a television signal.

The racing data and racing videos are distributed to a number of user terminals. Preferably, the user terminals display the racing data and racing videos on a conventional television monitor.

The user can review the racing data at the user terminal in a variety of formats. For example, odds, pools, predicted payoffs, and actual payoffs can be displayed. Handicapping information can also be displayed. And additional information, such as news, weather, advertising, help, late changes/overweights, and scratches, etc. can be displayed. Based on this information, a user can select a desired racetrack or performance, which is a set of races at a particular track (i.e., a morning performance or afternoon performance). The user can also select a race, a wager type, wager amount, and one or more runners.

When a user has entered all of the data necessary to place a wager, the corresponding wager data are transmitted to a wagering data management system that preferably includes a totalisator for maintaining the user's wagering account. The wagering data management system adjusts the user's account based on the user's wagers. Typically, the user's account is debited when a wager is placed. If, following a race, a user's wager is successful, the wagering data management system credits the user's account accordingly.

Occasionally, the user may wish to transfer funds from a bank account into the wagering account at the wagering data management system. To do so, the user enters the amount to transfer and a personal identification code into the user terminal. This information is transmitted to an appropriate bank facility, which, after verifying the user's account information, authorizes the transfer of the selected amount of funds from the bank account into the wagering account. Alternatively, the user may place wagers directly against his regular bank account. A security measure that may be used, either in addition to requiring the personal identification code or as an alternative to the personal identification code is to use a physical key or access device, such as a smart card, magnetic stripe card, or electronic hardware key.

When the user desires to view the results of races that have been run, the user can place an order for a racing video of that race. The user terminal transmits the ordering information to, e.g., the video and data distribution center, which plays back the ordered racing video for the desired race. The user can also instruct the user terminal to trigger an alarm when an upcoming race is about to be run. Either an audible

tone or a video message may be used to alert the user of the racing video for the upcoming race. If the user wishes to record a racing video, then the user enters the necessary race information into the user terminal. The user terminal either programs a video recorder to record the desired race at a predetermined time, or directly actuates a video recorder to record the racing video when the appropriate time arrives.

BRIEF DESCRIPTION OF THE DRAWINGS

The above and other objects and advantages of the present invention will be apparent upon consideration of the following detailed description, taken in conjunction with the accompanying drawings, in which like reference characters refer to like parts throughout, and in which:

FIG. 1 is a block diagram of a wagering system constructed in accordance with the present invention;

FIG. 2 is a block diagram of a user terminal suitable for use with the wagering system of FIG. 1;

FIGS. 3-7 are logic flow diagrams illustrating the operation of the wagering system of FIG. 1;

FIGS. 8-28 are illustrative option menus and display screens suitable for use with the illustrative wagering system of FIG. 1;

FIG. 29 is a block diagram of an alternative embodiment of a wagering system in accordance with the present invention;

FIG. 30 is a block diagram of a user terminal suitable for use with the wagering system of FIG. 29;

FIGS. 31-34 are logic flow diagrams illustrating the operation of the wagering system of FIG. 29; and

FIGS. 35-50 are illustrative option menus and display screens suitable for use with the illustrative wagering system of FIG. 29.

DETAILED DESCRIPTION OF THE INVENTION

A schematic block diagram of a wagering system 100 constructed in accordance with the present invention is shown in FIG. 1. Wagering system 100 uses wagering machines known as "totalisators," such as totalisators 102, 104, 106, and 108, to generate wagering odds in realtime based on the wagers placed on racing events at various racetracks. Totalisators are available from companies such as Amtote International, Inc. of Hunt Valley, Md., Autotote Limited of Newark, Del., and United Tote Company of Shepherd, Mont. Typically, each racetrack has an installed totalisator for handling the wagering odds and information at that track. Thus, totalisators 102, 104, 106, and 108 are generally each located at a separate racetrack. Totalisators are also capable of communicating data between one another.

For example, as shown in FIG. 1, totalisators 102, 104, 106, and 108 are interconnected by data lines 110. Totalisators 102-108 communicate between one another using data lines 110 and a communication protocol known as the Intertote Track System Protocol (ITSP). The communication between totalisators 102-108 allows totalisators 102-108 to share pools, thereby allowing racing fans that interact with one totalisator to view odds and place wagers on races at other racetracks.

The odds and other racing data from each of the totalisators connected to totalisator 102 are provided to data concentrator 112. Data concentrator 112 is a computer-based system that receives racing data from totalisator 102 and provides the data to a suitable data distribution system for

providing the data to racing fans in their homes. Typical racing data received from totalisator 102 include the current race at each track, which races and tracks are open for wagering, the post times of each race, and the number of races associated with each track. Racing data from totalisator 102 also include the win, place and show "pool" totals for each runner (e.g., a horse) and the exacta, trifecta, and quinella payoff predictions and pool totals for every runner combination. Odds are provided for all races that have not started (i.e., those races for which wagering has not been closed). Totalisator 102 also provides the number of minutes remaining until post time for the current race at each track to data concentrator 112.

Other racing data provided by totalisator 102 to data concentrator 112 include race results, such as the order-of-finish list for at least the first three positions and payoff values versus a standard wager amount for win, place, and show, for each associated combination of the finish list. Also provided are payoff values for the winning complex wager types, including exacta, trifecta, quinella, pick-n (where n is the number of races involved in the pick-n wager), and daily double. The payoff values may also be accompanied by a synopsis of the associated finish list.

Further racing data provided by totalisator 102 to data concentrator 112 include the number of runners in each race, the valid wager amounts accepted by totalisators 102-108, and valid wager types accepted by totalisators 102-108. Racing data provided by totalisator 102 also include a scratch list of those runners entered but removed from a race.

Preferably, additional "program information" (racing information typically provided in printed programs) may be provided from totalisator 102 to data concentrator 112. Such program information may include early odds, early scratches, race descriptions (including the distance of each race and the race surface—grass, dirt, artificial turf, etc.), allowed class ratings (based on a fixed ratio of external criteria), purse value (payoff to winning runner), allowed age range of runners, and the allowed number of wins and starts for each runner.

In addition to receiving racing data from totalisator 102 at line 114, data concentrator 112 preferably receives supplemental racing data from third party information sources, such as Axcis Pocket Information Network, Inc. of Santa Clara, Calif., at input 116. Typical supplemental racing data include the post times of each race, jockey names, runner names, and the number of races associated with each track. Weather information is also available from third party data sources. For example, the weather for the city and state in which each racetrack is located can be obtained.

More detailed weather information, including track conditions, temperature, humidity, dewpoint, and a short status description of the current weather (sunny, raining, foggy, etc.) may also be provided. Some racing data, such as the data describing regional weather conditions may be widely available in an electronic format. Other racing data may need to be entered manually, via input 118.

Data concentrator 112 processes the racing data received at inputs 114, 116, and 118 and assembles the data into a suitable data format for transmission to distribution facility 120, which is preferably a cable headend. Transmission of the racing data between data concentrator 112 and distribution facility 120 may be via cable, satellite, or any suitable transmission medium with an adequate bandwidth to supply a large quantity of racing data in realtime.

Typically, large metropolitan cable television networks have at least several headend facilities. Television signals

are provided to home viewers from the headends, generally using fiber optic cable and coaxial cable, collectively referred to here as "cable." Television distribution to the home is also possible in a system in which headends or similar facilities capable of data transmission deliver television signals to user terminals 122 via satellite.

In wagering system 100, racing data are provided from distribution facility 120 to user terminals 122 via a distribution network 124, which uses either cable wired directly to the home, a system of home satellite receivers, or radio or television broadcasting equipment. An advantage of using cable, satellites, or broadcast systems in distribution network 124 is that video information along with large quantities of racing data may be supplied to a large array of user terminals 122 more economically than with other systems. Although racing data is preferably supplied to the user terminals using the same medium used for video transmissions, this need not be the case. For example, racing data could be broadcast over-the-air while video information is received by the user via cable or satellite. If desired, videos of races can be provided along with the racing data. Using this type of system, the user can receive the racing data continuously, without forcing the wagering system 100 to monopolize the user's telephone line.

User terminal 122, which is preferably microprocessor-based, supports software capable of coordinating the receipt and display of racing data and the placing of wagers electronically. Preferably, user terminals 122 generate easy-to-read menus on displays 126, which may be, for example, conventional television sets. User terminal 122 executes instructions that enable terminal 122 to process the racing data received from distribution facility 120 and display the data on display 126 in a suitable format. The user can interact with user terminal 122 using any suitable user interface, such as a keyboard, pointing device, or voice-actuated controller. Preferably, the user interacts with user terminal 122 using an infrared or other suitable type of wireless remote control.

In order to place wagers, a user typically establishes an account associated with a totalisator (e.g., at a particular racetrack). The user's account balance and other wagering transactional information is stored in the totalisator. Preferably, user terminal 122 includes suitable communication circuitry to establish a communications link with totalisator 102. One suitable method of establishing such a link is to use modem communications between user terminal 122 and totalisator 102. For example, telephone network 128 and telephone interface 130 support two-way communications between user terminal 122 and totalisator 102. If a user desires to place a wager, the data necessary to execute the transaction are transmitted via network 128. Telephone interface 130 processes the wager data so that the data may be received by totalisator 102. For example, if many incoming signals are received at once, telephone interface 130 receives them in parallel. Typically, once the user places a wager the user's account at totalisator 102 is debited. If the user's wager pays off, the user's account at totalisator 102 is credited by the appropriate amount.

User terminal 122 is shown in more detail in FIG. 2. Microprocessor 132 is connected to memory 134—preferably a read-only memory (ROM)—and memory 136—preferably a random-access memory (RAM) via bus 138. Bus 138 is also used to interconnect microprocessor 132 and memory 134 and 136 with display and control circuitry 140. Display and control circuitry 140 coordinates the operation of the various display, control, and communications peripherals of user terminal 122. Memory 134 and

memory 136 contain instructions that are executed by microprocessor 132. Microprocessor 132 operates in conjunction with display and control circuitry 140 to direct the operation of user terminal 122.

Racing data and video signals are received at input 142 of FM receiver/analog-to-digital converter 144. The racing data are transmitted on an FM carrier in an open range within the bandwidth of the video signals. FM receiver/analog-to-digital converter 144 separates out the racing data signal and demodulates it to a digital format that is processed by display and control circuitry 140. The video signals received at input 142 are passed to multiplexer 146. When the user desires to view video programs corresponding to the video signals received at input 142, multiplexer 146 is switched to allow the video signals on line 148 to pass to monitor 126 (FIG. 1). The control signals used to switch multiplexer 146 may be provided by display and control circuitry 140 via line 152. Preferably, monitor 126 (FIG. 1) is a conventional television set.

The racing data that are received by user terminal 122 are stored in memory 136, so that microprocessor 132 can process this information as desired by the user. The user controls the functions of user terminal 122 via input interface 154, which is preferably a combination of a remote control 156 and a receiver 158. Based on user commands received via input interface 154, display and control circuitry 140 displays various information on monitor 126 (FIG. 1) using video generator 160 and display memory 162. The information to be displayed on monitor 126 (FIG. 1) is provided at output 164 of video generator 160. Display and control circuitry 140 generates an appropriate control signal on line 152, so that the output of video generator 160 is provided to monitor 126 (FIG. 1) via multiplexer 146.

User terminal 122 also has transaction data communication circuitry 166 provide a two-way communications link between user terminal 122 and totalisator 102 (FIG. 1). Transaction data communication circuitry 166 may be based on any suitable communication circuitry such as conventional modem circuitry for communicating via telephone lines. If the distribution network 124 (FIG. 1) supports two-way communications, then transmission and communication circuitry 164 may include appropriate back-haul circuitry to provide a communications link with totalisator 102 (FIG. 1) via a return path over distribution network 124 (FIG. 1) rather than over network 128 (FIG. 1).

In order to place wagers, the user must typically supply a personal identification code to the totalisator 102 (FIG. 1) at which the user maintains an account. The personal identification code is transmitted using the transaction data communication circuitry 166. By transmitting the personal identification code to totalisator 102 (FIG. 1) when placing a wager, the totalisator 102 (FIG. 1) can ensure that the user's personnel identification code matches an authorized code, and can verify the user's account balance prior to authorizing the wager. As an added measure of security, user terminal 122 preferably also has a non-volatile storage device 169, which is used to maintain a local account balance and which contains a user's personal identification code. Suitable non-volatile storage devices include magnetic stripe cards and electronic hardware keys. Physical keys can also be used to provide additional security, if desired.

Preferably, non-volatile storage device 169 includes a smart card interface 168 that accepts smart card 170. Smart card interface 168 allows account and account verification information to be stored on smart card 170. Smart card 170 must be inserted in smart card interface 168 in order to place

a wager. Thus, if a user removes the smart card 170, no wagers can be placed against that user's account by a third party, even if the user's personal identification code is known by that party.

In operation, user terminal 122 displays various menus of options on monitor 126 (FIG. 1). The menus can be invoked by pressing an appropriate "enter" button on remote control 156. Remote control 156 also has cursor keys that allow the user to cursor forward and backward and up and down through the menus. In order to leave the system, the user presses an "exit" button on remote control 156.

The logical flow of the operation of wagering system 100 (FIG. 1) including menus and options provided by user terminal 122 (FIG. 2) is summarized in FIGS. 3-7. As shown in FIG. 3, at step 172 the user selects between several available options: "today's race tracks," "account information," "news and information," and "bet on the next race." A menu 174 corresponding to step 172 is shown in FIG. 8. As shown in FIG. 8, menu 174 preferably contains corporate logo 176 and date and time information 178. Menu options 180, 182, 184, and 185 are preferably displayed in the center of screen 186. To the left of menu options 180, 182, 184, and 185, are cursor boxes 186, 188, 190, and 191. In FIG. 8, cursor 192 is positioned adjacent to the next available menu option—option 180, thereby "highlighting" that option. When a user desires to select the highlighted option, the user presses "enter" or the "right" cursor key on remote control 156 (FIG. 1). If the user wishes to select a different menu option, the user moves the cursor to the next lower or higher menu option on menu 174 using cursor up/down keys on remote control 156 (FIG. 2).

As shown in FIG. 3, if the user selects "today's race tracks" (menu option 180 in FIG. 8) at step 172, the user may then select a desired racetrack at step 196. A menu corresponding to step 196 is shown in FIG. 9. Racetrack menu options 198, 200, and 202 are racetracks available for wagering. Preferably, the list of available racetracks is provided by distribution facility 120 (FIG. 1) to user terminals 122 (FIG. 1), so that by controlling this list it is possible to "black out" certain racetracks.

Cursor 192 is used to highlight the desired track. The menu option adjacent to cursor 192 is also preferably highlighted by changing the color etc. of the option. The next race available for wagering at each racetrack and its corresponding post time are preferably listed adjacent to each track name. For example, the next available race at the Pimlico racetrack is race 3, which has a post time of 1:56. As with the available racetracks, the list of which races are scheduled is preferably provided to user terminals 122 (FIG. 1) by distribution facility 120 (FIG. 1). Accordingly, if it is desired to limit which races are available to the user, this may be done by making this selection at distribution facility 120.

After selecting a track, such as Pimlico, at step 196 (FIG. 3), the user selects a race at step 204 (FIG. 3). The race selection menus 206 and 208 for the Pimlico racetrack are shown in FIGS. 10 and 11. Preferably, the data in menus such as menus 206 and 208 and other menus/screens that are used to display racing data are periodically automatically updated (e.g., at least every 15 minutes) to reflect the most current racing data. To update the display automatically, user terminal 122 (FIG. 1) may display racing data as it is received from distribution facility 120 (FIG. 1) in realtime, or may update the display at predetermined time intervals, based on the most recently acquired data.

Menu 208 is illustrative of a type of menu that may be used whenever it is desired to display more information than

fits easily onto a single screen. Races 1-8 are listed on menus 206 and 208. As shown in FIG. 10, the letter "F" is placed adjacent to races 1 and 2 to indicate that those races have been run and for which the results have been declared final. No wagers can be placed on these races. When menu 206 is displayed (at step 204 of FIG. 3), cursor 192 is placed at a default position adjacent to race 3, because that is the next race available for wagering. As shown in the upper left corner of menu 206, an abbreviation of the racetrack (in this case "PIM" for Pimlico) is displayed to remind the user of the currently selected racetrack. A user selects a desired race by moving cursor 192 to a race and pressing "enter" or an equivalent action button on remote control 156 (FIG. 2).

Returning to FIG. 3, after the user has selected a race at step 204, the user is presented with a menu of available options at step 212. For example, the user can place a wager or view current odds/probables, handicapping data, race results, or weather. If the user chooses to place a wager, the viewer selects an amount to wager at step 214. The amounts available for wagering are preferably transmitted to user terminals 122 (FIG. 1) from distribution facility 120, so that it is possible to limit which wagering amounts are available to the user as desired. Preferably, the user can select the wager amount using an interactive menu such as menu 216 shown in FIG. 12. On the left of menu 216, current odds 218 are listed for each of the runners (e.g., 1-9). Typically, win odds are listed. Thus, as shown on menu 216, the odds for runner 1 winning race 3 are 20 to 1.

The racetracks, races, wager types, wager amounts, and various other menu options that are available to the user at user terminal 122 (FIG. 1) may be controlled from the distribution facility 120 (FIG. 1). For example, the distribution facility 120 can limit the content of its transmissions to user terminals 122 (FIG. 1), so that only certain features are available. If it is desired to black out a given racetrack, then the racing data (and any accompanying instructions to be executed by user terminal 122 of FIG. 1) for that racetrack are not provided to user terminals 122. With this approach, the menu options of user terminals 122 (FIG. 1) may be configured on a system-wide basis.

If desired, user terminals 122 (FIG. 1) may also be individually addressable, which allows distribution facility 120 (FIG. 1) to provide different types of service to different sets of user terminals 122 (FIG. 1). Any suitable addressing technique may be used. For example, an addressing technique similar to that used in conventional addressable cable converter units may be used. User terminals 122 (FIG. 1) may be provided with preprogrammed authorization codes when they are manufactured or a user may be provided with an appropriate authorization code to enter into user terminal 122 (FIG. 1) (e.g., using remote control 156 or smart card 170). Distribution facility 120 (FIG. 1) transmits the racing data and any instructions that are to be executed by microprocessor 132 and display and control circuitry 140 (FIG. 2) in transmission blocks containing an authorization code. User terminals 122 (FIG. 1) compare each incoming transmission block with their authorization code. When the code matches, racing and other data within the transmission block are accepted for use by that user terminal 122 (FIG. 1).

Individual addressability allows selected subsets of user terminals 122 (FIG. 1) to be permitted to have access to certain racetracks, sets of races, wager types, or wager amounts. Because distribution facility 120 (FIG. 1) can provide preselected features to selected subsets of users, it is possible to provide various tiers of service, etc.

As shown in FIG. 12, on the right of menu 216 is an abbreviation 220 of the currently selected racetrack (i.e.,

"PIM" for Pimlico). Current race 222 is also listed (i.e., race 3). Information such as the current time and the time remaining to post time is displayed in box 225. Preferably, the post time blinks or otherwise changes its appearance within a certain predefined time window prior to a race, so as to provide a visual clue that the start of the race is approaching.

When first presented to the user, menu 216 has a highlighted portion 224 (e.g., \$5). The user selects the desired wager amount by moving highlighted portion 224 using the up/down and left/right cursor keys of remote control 156 (FIG. 2). When highlighted portion 224 rests on the desired wager amount, the user presses the enter key on remote control 156 (FIG. 2). Highlighted portion 224 is then placed on the done box 226. If the user is ready to proceed, the user presses the enter key on remote control 156 (FIG. 2). If, instead, the user wishes to return to menus 206 and 208 (FIGS. 10 and 11), which correspond to step 212 (FIG. 3), then the user highlights and selects go back box 228.

As shown in FIG. 3, following selection of the wager amount at step 214, the user selects a desired type of wager at step 230. A typical wager type selection menu 232 is shown in FIG. 13. Additional wager types can be supported by providing additional wager selections on wager selection menu 232. Preferably, the wager types available at selection menu 232 are determined by distribution facility 120 (FIG. 1). Thus, the wager types available to the user may be controlled by limiting what information is transmitted from distribution facility 120 (FIG. 1) to user terminals 122 regarding wager types. Highlighted portion 234 initially rests on one of the wager types, such as WPS, which stands for win, place, and show. Other available wager types include, but are not limited to, WIN (win), PLC (place), SHW (show), WP (win-place), WS (win-show), and EXA (exacta). Suitable wager types also include trifecta, quinella, daily double, and pick-n type wagers (where n is a value from, e.g., 3 to 10).

Preferably, menu 232 is similar in appearance and layout to other menus, such as menu 216 (FIG. 12), so that the user is presented with a fairly uniform interface. For example, odds are shown at the left of menu 232, just as they are shown at the left of menu 216 (FIG. 12). Similarly, the racetrack abbreviation, race number, current time, and time remaining to post are shown on the right of menu 232 in the same way that this information is displayed in menu 216 (FIG. 12). By changing the overall layout of the menus as little as possible from one screen to the next, viewer confusion is minimized and screen storage requirements for the user terminal 122 are reduced. An additional item in menu 232, which is not shown in the wager amount menu 216 of FIG. 12, is selected wager amount 236 (\$5 in the example of FIG. 13).

As shown in FIG. 14, the user selects the desired bet amount by moving highlighted portion 234 to the desired wager type and pressing the enter key on remote control 156 (FIG. 2). In FIG. 14, an exacta wager was chosen by selecting EXA box 238. The selected wager type may be indicated in any suitable fashion, for example, by changing the color of the wager type box. Further, as shown in FIG. 14, code 240 corresponding to the selected wager type can be displayed. After an exacta wager (or any multi-leg single race wager) is selected, highlighted portion 234 is either automatically placed on BOX 242 or, preferably, onto DONE 243 with the ability to move the cursor onto BOX 242 to allow a user to place a box bet (any multi-leg wager where the first leg or list of runners is used for all legs of the wager). Placing a box bet is a simplified method of placing a wager using the same runner list for each leg of a multiple leg wager.

After selecting the wager type at step 230 of FIG. 3, the user selects runners at step 244. As shown in FIG. 15, for an exacta wager the user selects one or more runners for first leg 246 and second leg 248. If more than one runner is selected per leg, the number of possible exacta wager combinations is automatically calculated and the total cost of the wager updated accordingly at box 250. When all desired runners have been selected, the user selects done box 252, which causes the system to proceed to step 254 in FIG. 3.

In step 254 (FIG. 3), wager queue menu 256 is displayed, as shown in FIG. 16. Each wager is summarized on a line adjacent to a wager number 258. In the example shown in FIG. 16, the first wager is an exacta wager on the third race at Pimlico. Shown at the bottom of menu 256 are the menu options send/delete, more bets same race, more bets other race, and main menu. These menu options are displayed at step 258 (FIG. 3) when the wager queue is not full. Typically, the wager queue can contain up to five wagers. Before additional wagers can be added, the wagers in the queue must be sent to the racetrack. If the wager queue is full following step 254 (FIG. 3), then the menu choices of delete a wager, send wagers, duplicate a wager, and main menu are displayed at step 260. The menu options made available at step 260 are limited by the state of the queue. For example if the queue is full, the option "duplicate a wager" will not be available, etc. A typical menu 262 on which these options are displayed is shown in FIG. 17.

The menu options listed in menus 256 and 262 (FIGS. 16 and 17) allow the user to modify the wagers listed in the queue, make additional bets, etc. For example, as shown in FIG. 3, if at step 258 the user selects "more bets same race," the user is returned to step 214, at which a new wager amount can be selected. The user can then proceed through steps 230, 244, 254, etc. as described above. If at step 258 the user selects "more bets other race," the user is returned to step 204, at which a new track may be selected. Another option at step 258 is to return to the main menu. If "main menu" is selected, the user is returned to step 172.

If the user selects "send/delete" at step 258 then the system proceeds to step 260 (menu 262 in FIG. 17). At step 260, the user has the option of deleting a wager that is no longer desired. For example, if the user wishes to delete wager 1, the user moves the highlighted portion of the menu to wager 1 and presses the enter key on remote control 156 (FIG. 2), whereupon the information for wager 1 is removed from menu 262 (FIG. 17). If "duplicate a wager" is selected, the user can make a copy of a wager, which appears on the next available wager line. Thus, if wagers 1 and 2 are filled, the user can position the highlighted portion of menu 262 (FIG. 17) adjacent to wager 1 and press enter. Wager 1 will then be duplicated as wager 3.

In order to place wagers, the wager information entered onto menu 262 must be sent to totalisator 102 (FIG. 1) via network 128 (FIG. 1). At the same time that a wager is sent, the user must transmit his personal identification code to allow the totalisator 102 (FIG. 1) to verify the status of the account against which the wager is to be placed. Totalisator 102 adjusts the user's account to reflect the results of the wager. If sufficient funds exist in the account, and if the wagering information is otherwise satisfactory, totalisator 102 (FIG. 1) will accept the wager and will typically debit the account. If the wager pays off, the account will be credited by the appropriate amount.

When a user is ready to send a wager to totalisator 102 (FIG. 1), the user selects "send wagers" from menu 262 in

FIG. 17. Preferably, if no smart card is present, a message appears on monitor 126 (FIG. 1) instructing the user to insert smart card 170 (FIG. 2). The user is next instructed to enter his personal identification code using remote control 156 (FIG. 2). The personal identification code is compared to a prestored personal identification code on smart card 170 (FIG. 2). If, from comparison of the entered personal identification code to the personal identification code stored on card 170 (FIG. 2), it is determined that the user is authorized to use the account, then the transaction data necessary to place the wager with totalisator 102 (FIG. 1) are sent to totalisator 102 (FIG. 1). During the process of sending the wager information to totalisator 102 (FIG. 1), the user is preferably provided with messages on monitor 126 (FIG. 1) that indicate when the system is dialing and sending the data, and when it has been confirmed that the wager has been sent.

If, instead of selecting "place wager" at step 212, the user selects "current odds/probables," the system proceeds to step 264, as shown in FIG. 4. At step 264, the user is presented with a menu listing which odds and statistics are available for viewing. If the user selects "odds/pools" at step 264, the user is passed to step 266, in which odds and pools are preferably displayed in a format shown in FIG. 18. In chart 268, the win odds for each runner are displayed adjacent to the number of that runner. Also listed in chart 268 are the dollar amounts of each pool of placed wagers for each bet type (win, place, or show). At the bottom of chart 268 is a total of all pools for each wager type: win, place, and show.

Wager odds for wager types other than win odds can also be shown. For example, show or place odds can be displayed. With previously known off-track terminals it has not been possible to display show and place odds. Accordingly, if a home racing fan desired such information, he would need to make calculations by hand. In contrast, with the present invention, user terminal 122 processes the racing data provided by totalisator 102 (FIG. 1), so that odds for many wager types are available. The user can therefore quickly and accurately review these odds interactively in the home.

Information regarding exacta, trifecta, and other complex wager pool totals and payoff values for the various wager combinations may be selected at step 264 (FIG. 4). Any suitable display format may be used to show the desired information. A typical exacta pays screen 272 is shown in FIG. 19. Win odds are listed for each runner and predicted exacta payoffs are listed for each of the possible exacta combinations of runners. Thus, if there are nine runners there are typically nine screens 272. The first screen 272 lists the payoffs for runner 1 as a first place finisher (1 and x), where x is each of runners 2-9. Also listed are the payoffs for runner 1 as a second place finisher (x and 1). Subsequent screens are used to provide information for other runners. For example, the second screen 272 lists the payoffs for runner 2 as a first and second place finisher. Another item listed on screen 272 is exacta pool 274.

The odds and payoffs for other sophisticated wager types, such as trifectas, daily doubles, pick three, pick four, etc. can be listed in the same fashion if desired. Due to the limited nature of previously available off-track betting terminals, it has not been possible to determine odds and payoff information for many sophisticated wager types. For example, it has not previously been possible to determine odds for various combinations of runners within the complex wager types. With the present invention, complex wagering information may be calculated and displayed by user terminal 122 (FIG. 2). Because it has not previously been possible to

display such detailed information using an off-track terminal, such information has either been completely unavailable or has only been available to racing fans who have traveled to the racetrack or to off-track betting establishments.

In addition, an advantage of the present system is that the user can interactively control the display of the odds and payoffs screens for the various wager types. For example, the user can move forward or backward through the wager information screens, such as screen 272 (FIG. 19), which shows the predicted payoff amounts if a particular runner combination wins an exacta wager. Previously known methods of displaying such information involve providing a non-interactive scrolling list of the information, e.g., on a monitor at a racetrack. But with that method it is necessary to wait until the information one wishes to view is presented on the monitor. In contrast, with the present invention the user can interactively advance forward and backwards through the screens such as exacta pays screens 272 as desired.

Returning to step 212 (FIG. 3), another menu option that can be selected by the user is to view handicapping data. If "handicapping data" is selected at step 212 (FIG. 3) then the user is presented with a menu of available handicapping data as shown at step 276 in FIG. 5. Preferably, the menu options available at step 276 include: snapshot power ratings, speed-class ratings, pace ratings, and jockey/trainer. If "snapshot power ratings" are selected at step 276, power ratings are displayed at step 277 (FIG. 5) on screen 278, as shown in FIG. 20. At the top of power ratings screen 278 is a banner including information such as race number 280 (e.g., race 1), race distance/surface 282 (e.g., 5 Furlongs on dirt), amount claimed 284, class rating 286, and runner age 288.

Below this banner, more detailed information pertaining to each runner is preferably listed. For example, runner name 290, number of days off since the last race 292, wins/starts for the selected surface and distance category 294, morning odds 296, and power rating 298. The information necessary to make up screen 278 may be provided to the wagering system 100 (FIG. 1) via input 116 (FIG. 1).

In addition to displaying snapshot power ratings, a user can choose to display speed/class ratings at step 276 (FIG. 5). If "speed/class ratings" is selected at step 276 (FIG. 5), then at step 300 (FIG. 5) screen 302 of speed/class ratings is displayed, as shown in FIG. 21. Screen 302 preferably contains information banner 304, as in screen 278 (FIG. 20). Also in screen 302 are runner name 306, speed rating 308, speed rating for this distance and track surface 310, highest speed rating for this distance and track surface 312, class rating 314, and class rating of last race 316.

Another option is available if the user selects "pace ratings" at step 276 (FIG. 5). Selecting "pace ratings" takes the user to step 318 (FIG. 5), at which pace ratings screen 320 is displayed, as shown in FIG. 22. As with screen 278 (FIG. 20) and screen 280 (FIG. 21), screen 320 contains handicapping data for each runner. Preferably, screen 320 contains typical position at early call 322, typical position at middle call 324, typical position at finish 326, and number of races in calculation 328.

A further display of handicapping data is available if the user selects "jockey/trainer" at step 276 (FIG. 5). If jockey/trainer is selected, control passes to step 330 (FIG. 5), at which screen 332 is displayed, as shown in FIG. 23. Screen 332 contains handicapping information about the jockeys and trainers for each runner. Typically, such information includes jockey and trainer names 334 and information

about recent race statistics 336. Other jockey/trainer information that can be provided includes information relating to jockey changes and overweights for each runner.

Returning to FIG. 3, another option available at step 212 is to display race results. If the user selects "results" at step 212, the results of the race selected at step 204 are displayed on the display 126 (FIG. 1) at step 338. One suitable format for displaying race results is shown in FIG. 24. Runner numbers 340 are displayed as well as payoffs for a standard wager (e.g., \$2) for win, place, and show bets. If desired, results can also be displayed for the more sophisticated wager types such as exactas, trifectas, daily doubles, pick three, pick four, etc.

The present invention allows the user to interactively control the display of the race results screens. For example, the user can select a track and page through the results for the various races at that track. Preferably, the user can use the cursor keys on remote control 156 (FIG. 2) to move between the race results screens for various races.

Another option available at step 212 in FIG. 3 is for the user to view weather and track conditions for a selected racetrack. If the user selects "weather/conditions" at step 212, weather information is interactively presented at step 342. The weather for the city and state in which the selected racetrack is located is preferably displayed, as is more detailed weather information, including track conditions, temperature, humidity, dewpoint, and a short status description of the current weather (sunny, raining, foggy, etc.).

If the user selects "account information" (menu option 182 in FIG. 8) at the initial menu displayed at step 172 (FIG. 3), the menu options "bet queue," "account information," and "transaction history" are displayed at step 344, as shown in FIG. 6. If "bet queue" is selected at step 344, the queue is viewed at step 346 and control then passes to step 260 (FIG. 3). At step 260, the user can select from the menu choices "delete a wager," "send wagers," "duplicate a wager," and "main menu," as described above.

If "transaction history" is selected at step 344 in FIG. 6, the user terminal 122 (FIG. 2) preferably retrieves information concerning recent transactions such as wagers placed and the results of these wagers from smart card 170 (FIG. 2) at step 348. If desired, this information can be retrieved remotely, from totalisator 102. Using the retrieved information, the user's transaction history is displayed at step 350. After the user is finished reviewing the recent transaction history, the user is returned to step 172 (FIG. 3), where the initial menu options are displayed.

If the user selects "account balance" at step 344, at step 351, the user selects whether to retrieve his account balance remotely, from totalisator 102 (FIG. 1), or locally at terminal 122, from smart card 170. If the user selects "remote" at step 351, then the user enters his personal identification code at step 352. User terminal 122 (FIG. 2) then obtains current account information from totalisator 102 (FIG. 1) and displays this information at step 354. If the user selects "smart card" at step 351, then the user enters his personal identification code at step 353. User terminal 122 (FIG. 2) then obtains current account information from smart card 170 (FIG. 2) and displays this information at step 355. Preferably, information retrieved from smart card 170 (such as account balances) is for informational purposes only. No wagers can be authorized solely through the account information on smart card 170 (FIG. 2). This prevents unauthorized wagering if the card is tampered with. After the user is finished reviewing the account balance at step 354 or step 355, the user is returned to step 172 (FIG. 3), where the initial menu options are displayed.

The benefit of storing account and transaction history information locally on smart card 170 (FIG. 2) is that it is not necessary to communicate with totalisator 102 (FIG. 1) each time it is desired to review such information. Because the user does not need to communicate with totalisator 102 (FIG. 1) for routine transaction history and account balance queries, the user avoids any fees that may be associated with such queries. The user also reduces the frequency with which he needs to use his telephone line. Further, data corresponding to additional wagering transactions, such as recent wagering activity, may be stored on smart card 170 (FIG. 1).

The account and transactional information for each user is preferably stored on his individual smart card 170 (FIG. 2). This allows the user to visit other homes in which there are user terminals 122 (FIG. 1), without losing ready access to his account information. Alternatively, the account and transactional information can be stored in a suitable memory device in user terminal 122 (FIGS. 1 and 2).

Another menu option available at step 172 of FIG. 3 is the option to view news and information. If "news and information" (menu option 184 in FIG. 8) is selected at step 172, a submenu of news and information options is displayed at step 356, as shown in FIG. 7. The illustrative menu options displayed at step 356 include the option of viewing information about schedule times for racing video simulcasts available to the user. Racing simulcasts may be available via satellite, cable, broadcast, or other suitable video transmission medium. Typically, not all of the races run at the various racetracks are simulcast on television. Certain racetracks may not wish to create a disincentive for racing fans in the area to visit the track in person. For other racetracks there may not be sufficient demand to warrant the effort of televising all of the races. And because the post times of races are typically determined locally by the management of the racetrack, they may be subject to last minute changes or unforeseen delays. For each of these reasons, it is difficult or impossible for a user to accurately determine which races are currently available via simulcast. Accordingly, with the present invention, when the user selects "simulcast schedule" at step 356, a current schedule listing the races available via simulcast is displayed.

Other menu options available at step 356 include commercial advertisements. As shown in FIG. 7, menu option 358 is an advertisement called "Laurel on the Air," which could be, for example, local advertising for upcoming events on television or radio relating to the Laurel racetrack. An illustrative listing for Laurel on the air is shown in FIG. 25.

Menu option 360, entitled "handicapping seminar" could be, for example, an advertisement for an upcoming seminar on handicapping techniques to be presented at a particular racetrack. An illustrative handicapping screen is shown in FIG. 26.

Menu option help 362 allows the system to display help information. For example, explanations of how to use the terminal 122, how to place certain types of wagers, or how to handicap effectively may be provided. A submenu that may be provided after menu option help 362 has been selected includes menu options "using the system," "how to bet," and "handicapping information." FIG. 27 shows a screen that can be displayed if "using the system" is selected. FIG. 28 shows a screen that can be displayed if "how to bet" is selected followed by information on "win, place, and show" bets. Information on additional wager types is preferably available by pressing an advance or equivalent cursor on remote control 156 (FIG. 2). If "handi-

capping information" is selected from the submenu, then descriptions of the various types of handicapping information available (see, e.g., FIGS. 20-23) are provided. The menu option 364 (FIG. 7) entitled "other" allows additional information to be provided.

The news and information menu options available at step 356 are illustrative only. As explained in connection with descriptions of further embodiments of the present invention, additional features may be added if desired, such as the ability to add video information to the services described above.

If desired, "hot" buttons may be used to provide shortcuts through the menu hierarchy of FIGS. 3-7. For example, a hot button 185 labeled "bet on the next race" may be provided as menu option 185 in FIG. 8. If the user selects this option at step 172 (FIG. 3), the user terminal 122 (FIG. 2) determines which upcoming race is the next race available for wagering. The user terminal 122 (FIG. 2) then presents the user with the option of selecting the wager amount for that race at step 214 (FIG. 3). Hot button 185 therefore allows the user to bypass selection steps 196, 204, and 212 (FIG. 3), which the user would otherwise need to pass through. Preferably, any hot button arrangement of the present invention allows the user to bypass one or more selection steps (also called "menu layers"). Hot buttons thus allow quicker movement through various layers of menus than would otherwise be possible (e.g., using a conventional tree-type menu structure without hot buttons).

Further aspects of the present invention are illustrated in connection with wagering system 366, shown in FIG. 29. Many features of wagering system 336 may be provided using an arrangement similar to wagering system 100 (FIG. 1), if desired. Wagering system 366 has a video and data distribution system 368 for distributing racing data racing videos to user terminals 370. The video and data distribution system 368 may be based on any suitable conventional distribution technology, such as satellite transmission, cable television transmission, or television broadcasting. Video and data distribution system 368 receives racing data from racing data interface 372. This signal feed typically has a significantly lower data-rate requirement than live video signals. Accordingly, the racing data transmitted from racing data interface 372 to video and data distribution system 368 may use any of a number of available signal distribution technologies. For example, leased telephone lines may be provided between racing data interface 372 and video and data distribution system 368. Alternatively, racing data may be transmitted by satellite at this stage.

Racing videos, which are received from racing video source 374, preferably use a high-capacity transmission medium such as satellite transmission or cable transmission for at least part of the signal pathway between the point of origination of the video signals and video and data distribution system 368. For example, one suitable source of racing videos is the simulcast transmission of video signals from racetracks. These racing videos can be transmitted by a combination of cable and satellite to a centralized racing video source 374, from which the videos may be transmitted to video and data distribution system 368 via satellite. Alternatively, the racing video may be archived on video tape or another video storage medium, so that the racing video source 374 should include suitable video playback equipment (not shown). Archived racing videos can be played back according to a predetermined schedule, or according to viewer demand.

Regardless of the source of the racing video signals provided at racing video source 374, and regardless of the

medium used to transmit these videos from racing video source 374 to video and data distribution system 368, the racing videos are preferably available for the user to watch at home while the user simultaneously has access to the racing data provided by racing data interface 372. Because real time racing video clips require the full bandwidth of a television channel (although the video could be compressed somewhat using conventional data compression techniques), data and video link 376 between video and data distribution system 368 and user terminals 370 must at least have the capacity of a single television channel. Preferably, the racing videos are distributed over a dedicated racing channel. Racing data may be distributed using any suitable data distribution technique, such as transmission over a sideband or during the vertical blanking interval of the dedicated channel.

Video and data distribution system 368 includes a cable headend facility, satellite facility, or broadcast facility that preferably supplies a full range of conventional television channels to the user in addition to the capability of providing a dedicated racing channel to the user. When the user desires to watch television, the user can tune to one of these channels. The user can tune to a television channel using a user terminal 370 in conjunction with a monitor 378, which is preferably a conventional television set. If user terminal 370 does not contain a tuner capable of tuning to all of the available channels, or if it is desired to bypass the terminal 370 for other reasons, the user can watch television on monitor 378 directly, provided that monitor 378 includes a television tuner.

Thus, a number of alternative approaches can be used to provide racing videos and racing data to the user. However, a common element to all of these approaches is that video and data distribution system 368 be capable of delivering racing video signals from racing video source 374 to user terminals 370 in realtime. The video and data distribution system 368 also delivers racing data to user terminals 370. Thus, wagering system 366 avoids the shortcomings of previously known systems in which no racing videos could be provided to user-controllable terminals and in which limited racing data were at best provided to off-track terminals via telephone lines.

Racing data are provided by a number of sources, including wagering data management system 380. Wagering and data management facility 380 may be a totalisator such as totalisators 382, or may be a stand-alone computer system capable of communicating with totalisators 382. If desired, wagering data management facility 380 may include an accounting capability for managing user accounts.

The type of racing data provided to racing data interface 372 by wagering and data management facility 380 typically includes the current race at each track, which races and tracks are open for wagering, the post times of each race, and the number of races associated with each track. Racing data also include the win, place and show "pool" totals, exacta, trifecta, quinella and other wager payoff predictions, and the actual odds for the current race at each track, as well as the "morning line" odds for any future race. In addition, racing data typically include the number of minutes remaining until post time for the current race at each track.

Racing data provided by wagering data management facility 380 also include race results, such as actual payoff values versus a standard wager amount for win, place, and show wagers. Also provided are actual payoff values for the winning complex wager types, including exacta, trifecta, quinella, pick-n (where "n" is the number of races involved

in the pick-n wager), and daily double. Payoff values may also be accompanied by a synopsis of the associated finish list.

In addition, pools, payoffs, and odds may be provided for other wager types, such as omni bets, superfectas, and double-triple bets.

The racing data from wagering data management facility 380 further include program information including the number of runners in each race, valid wager amounts and types accepted by racetracks, scratch lists, distances of each race, and race surfaces. Program information also includes race classification information, the purse, the allowed age range of runners, and the allowed number of wins and or starts for each runner. Racing data from wagering data management facility 380 are delivered to racing data interface 372 via data link 384, which may be any suitable data transmission medium, such as a leased telephone line, cable, satellite, etc.

Racing data interface 372 also receives racing data via supplemental input 386 and manual input 388. The racing data received at inputs 386 and 388 include racing data from third party information sources such as Axcis Pocket Information Network, Inc. of Santa Clara, Calif. Such third party racing data typically include post times, the number of races associated with each track and other information that typically is only provided via a printed racing program. Weather information, such as track conditions, temperature, humidity, dewpoint, and a short status description of the current weather (sunny, raining, foggy, etc.) may also be provided via inputs 386 or 388.

Wagering data management facility 380 preferably includes the capability of either maintaining a user's account or communicating with a user's account located at one of totalisators 382. Totalisators communicate with one another via the well-known Intertote Track System Protocol (ITSP). Racing fans using user terminals 370, communicate with wagering data management facility 380 via communication lines 390, network 392 and transaction data interface 394.

In accordance with one aspect of the present invention, communication lines 390 are telephone lines, network 392 is a telephone network, and transaction data interface 394 is an automated modem system for receiving incoming transaction data from communication devices contained within user terminals 370. Link 396, which provides a communication pathway between transaction data interface 394 and wagering and data management facility 380 may be any suitable type of communication link, for example, 30 RS-232 data lines. Although a telephone link may be used to provide two-way communications for transaction data (wagers placed, account information, etc.), any suitable communication pathway between user terminals 370 and wagering data management facility 380 may be used. For example, transaction data may be relayed to and from user terminals 370 via data and video link 376, video and data distribution system 368, and communication link 398.

In addition to the various elements described above, wagering system 366 may optionally include a subscriber management/customer service facility ("subscriber facility") 400, which is a computer-based facility for coordinating bank transfers and merchandise orders, handling paperwork required by tax and other regulations, and for supplying marketing information to third parties.

User terminals 370 are linked to subscriber facility 400 via communication lines 390, network 392, and communication line 402, which may be, for example, a leased telephone line. Subscriber facility 400 is linked to wagering data management facility 380 via communication line 404.

Additional communication links are formed between subscriber facility 400 and racetrack 406, merchandise fulfillment house 408, production facility 410, bank facility 412, and third parties 414. These links may be formed using any suitable communications medium, such as telephone lines.

Subscriber facility 400 provides wagering system 366 with the capability to implement a variety of marketing and customer service related activities. For example, when the user desires to transfer bank account funds to his wagering account, a transfer authorization can be sent from user terminal 370 to subscriber facility 400 via communication line 402, where, after suitable processing, the transfer request is sent to bank facility 412. Bank facility 412 may be at the user's bank, or an affiliated bank connected to a banking network capable of authorizing the requested transfer. After bank facility 412 approves the requested transfer of funds, subscriber facility 400 transmits suitable fund transfer instructions to wagering data management facility 380.

Another useful feature that may be implemented using subscriber facility 400 is allowing the user to place merchandise orders from the home. Commercial advertising may be provided with wagering system 366. For example, video advertising clips may be displayed simultaneously with racing videos etc. If a menu option indicates that merchandise, such as racing memorabilia, promotional materials, collectibles, etc. is available, then following step 356 (FIG. 7) the user may interactively place an order for merchandise using wagering system 366. If desired, the user may place merchandise orders against funds located in the wagering account located at wagering data management facility 380 or at the user's account at bank facility 412. Alternatively, the user may place orders using a credit card.

Generally, the information necessary to consummate an on-line purchase of merchandise is well known. This information is collected and disseminated to the appropriate parties by subscriber facility 400. For example, funds verification may be performed by communicating with wagering data management facility 380 or bank facility 412. Merchandise orders may be placed with the racetrack 406 that offered the merchandise, or with merchandise fulfillment house 408.

Subscriber facility 400 may also be used to facilitate monitoring of the usage of user terminals 122. In order to improve the performance of wagering system 366, it may be desirable to determine precisely how various users interact with the various menus etc. that are provided by user terminal 122. User terminals 122 can be programmed to monitor the way in which users interact with the menu structure implemented on user terminals 122. For example, user terminals 122 can monitor how long each user spends at each screen, etc. Periodically, this information may be collected by subscriber facility 400 via communication line 402. This information can be used to improve the performance of the menu structure implemented on user terminals 122, or may be used for marketing purposes (e.g., for direct marketing).

Production facility 410 may be used to satisfy regulatory paperwork requirements for tax and other purposes. In addition, additional or replacement smart cards or user terminals 370 may be ordered from production facility 410.

If desired, a user's personal preferences, such as wagering habits, betting preferences, merchandise orders, etc. may be supplied to third parties 414. The user's personal preference data may be transmitted from user terminals 370 to wagering data management facility 380 during the placing of wagers.

Later, wagering data management facility 380 transmits the personal preference data to subscriber facility 400, from where the data may be provided to, e.g., third parties 414.

A typical user terminal 370 is shown in FIG. 30. User terminal 370 has display and processing circuitry 416, which receives racing data and realtime video signals including videos from racing video source 374 via video input 418. The user enters commands with user input interface 420, which may be any suitable input interface, such as a remote control, keyboard, a conventional voice-actuated controller system, etc. Display and processing circuitry 416, which is preferably microprocessor-based, coordinates the display of the racing data and videos on monitor 378 and the recording of videos on video recorder 424. User terminal 370 also has transaction data communication circuitry 422 (e.g., modem circuitry) for communicating transaction data to wagering data management facility 380 (FIG. 29) and subscriber facility 400 (FIG. 29).

As is well known, set-top converters, video cassette recorders, audio/video receivers, and other audio/video equipment may be interconnected in a variety of ways. For example, some audio/video components receive a full range of television channels on a radio frequency (RF) input line, and output a selected channel or other video signal on an RF channel such as channel 2, 3, or 4. An output provided on an RF channel must be processed by a television tuner tuned to that channel. Accordingly, this type of arrangement is suitable for audio/video equipment that is connected to an audio/video component having a television tuner (e.g., a conventional television set). Some audio/video equipment provides direct video and audio signal outputs, which may be received by a monitor or other audio/video component that does not have a television tuner.

In accordance with the present invention, the racing videos and data received via input 418 are typically received along with a complete range of television channels. In one suitable arrangement, the racing videos are provided on one or more dedicated channels and the racing data can be provided in an available region of bandwidth within these channels (e.g., on a frequency modulated sideband). If the racing videos and data are provided over a digital video channel (e.g., as used with certain television satellite systems), the video signals occupy one portion of the digital signal and the racing data another. Display and processing circuitry 416 contains circuitry for separating out the racing data from the video signals. Racing data are processed by display and processing circuitry 416 so that various menus of options and data may be displayed. Racing videos and the menu displays can be provided to monitor 378 via RF output 426 or video and audio output 428.

Because cable channels are often scrambled, display and processing circuitry 416 may also contain suitable circuitry for descrambling the cable (or satellite) television channels to which the user subscribes. Alternatively, the user may attach a conventional set-top cable converter unit to their television, for use in conjunction with user terminal 370.

Further, various different connections are possible with video recorder 424. If video recorder 424 is a conventional video cassette recorder, video output 430 may be an RF output or a video and audio output. If video recorder 424 only contains recording components and not a television tuner, then an RF output would not be suitable. In that case, video output 430 is preferably a video/audio output rather than an RF output.

Commands from display and processing circuitry 416 are provided to video recorder 424 over communication path

432. Communication path 432 may be a direct electrical connection to video recorder 424 or may use an infrared output circuit coupled to the infrared input of video recorder 424. If desired, video recorder 424 may be provided with the capability of providing as an output video recorder status data regarding the state of video recorder 424 (e.g., tape inserted, play/record confirmed, index data on tape read/confirmed, etc.). The video recorder status data may be provided to display and processing circuitry 416 over communication path 432. Video recorder 424 may also be provided with a dedicated set-top converter box (such as shown connected to monitor 378 in FIG. 30). The set-top converter box may be provided downstream from the other components of user terminal 370 or may be provided as a completely separate input.

In the illustrative example shown in FIG. 30, set-top box 434 is provided midway between display and processing circuitry 416 and monitor 378. With this arrangement, line 436 is preferably an RF line. Another way in which television signals may be provided to monitor 378 is to provide additional RF or video/audio input 440 to monitor 378. If desired, descrambling on this line may be performed by set-top box 442. Switching between the desired audio/video and RF inputs to monitor 378 may be performed by circuitry within monitor 378, if desired.

If an audio/video receiver is also connected to the user's home system, further options are available. For example, the audio/video receiver (not shown) may be used to switch the various audio and video signals shown in FIG. 30. RF video signals may be switched using suitable RF switching equipment.

Thus, there are numerous suitable ways in which to arrange and interconnect various home audio/video components and user terminal 370. The particular arrangement chosen for user terminal 370 is not limited to any one setup. For example, monitor 378 may be a conventional television with an integral television tuner or may be any other suitable display monitor. Video recorder 424 may be a conventional video cassette recorder or may contain a status data output in addition to the components necessary to perform video recording and playback. One or more set-top boxes 442 or 434 may be provided. An audio/video receiver or RF signal switching and splitting circuitry may be connected to user terminal 370. Any of these components may be provided as a separate audio/video component or may be made integral with user terminal 370.

Wagering system 366 (FIG. 29) may be used to provide a variety of interactive wagering features. In accordance with one aspect of the present invention, when the user invokes wagering system 366 (e.g., by entering an appropriate command via user input interface 420 (FIG. 30)), the user is presented with an initial racetrack selection menu at step 444, as shown in FIG. 31. A suitable format for the racetrack selection menu is a list highlighted to show the current selection. Another suitable format for the racetrack selection menu is map menu 446, shown in FIG. 35. With this approach, the various available racetracks are displayed on a map, e.g., of the United States. The currently selected racetrack (Hollywood park in FIG. 35) is highlighted. Preferably, the user can select a racetrack using cursor keys to move up/down and right/left until the highlighted portion is positioned on the desired racetrack. The user may then press enter to select that track. As shown in FIG. 35, map menu 446 preferably has go back button 447. If the user selects go back button 447, the user is returned to the previous menu. In addition to serving as a menu for track selections, a format similar to that of map menu 446 may be

used to allow the user to make other selections, such as when choosing a region of the country from which racing or other information (e.g., commercial advertising) is desired. Map menu 446 may be highlighted using any suitable technique, e.g., using an icon.

After a racetrack has been selected at step 444 of FIG. 31, the user decides whether to select a wager amount or make a menu choice at step 448. The term "menu choice" used in connection with FIGS. 31-34 includes: "other track," "other race," "information," and "account." In accordance with the present invention, menu choices other track 450, other race 452, information 454, and account 456 are displayed on a screen 458 of mixed text and video, as shown in FIG. 36. Preferably, menu options appear at the bottom of screen 458. The currently selected racetrack 460 (Churchill Downs), race no. 462 (race 2) and time until post 464 (nine minutes) appear in a banner 466 at the top of screen 458. The default for the currently selected race is the next race scheduled to be run at the selected racetrack. Current odds or other useful racing information items appear in box 468.

In addition, a realtime racing video 470 is simultaneously displayed in box 472. Preferably, racing video 470 is a simulcast from the selected racetrack corresponding to the next scheduled race. Typically, race previews are shown prior to each race. These previews may contain views of the racetrack, fans, and runners, interviews with jockeys and trainers, and commentary. At post time, the video of the race itself is shown. If no racing videos are available at the selected track, box 472 can contain a video clip of races at other tracks or can contain advertising information, etc.

The arrangement of screen 458 allows the user to gauge how much time is left to place a wager by viewing the time until post 464, and viewing racing video 470. Current odds may be readily reviewed at box 468. With screen 458, the user can watch racing previews and race videos in realtime, while wagering on races interactively.

In step 448 of FIG. 31, the user selects a bet amount by moving highlighted portion 474 (FIG. 36) to the desired dollar amount (\$5 in FIG. 36). With any screen such as screen 458 (FIG. 36), the user can make a desired selection using input interface 420 (FIG. 30). For example, if user input interface 420 (FIG. 30) includes an infrared remote control and receiver, the user can press a "select" or "enter" key on the remote control to make a selection.

After selecting a bet amount at step 448 of FIG. 31, the user is passed to step 476, in which a bet type or a menu choice is selected. The bet type can be selected using a screen such as screen 478 in FIG. 37. As shown in FIG. 37, many of the display features of screen 458 (FIG. 36) remain unchanged as the user moves from step 448 (FIG. 31) to step 476 (FIG. 31). For example, banner 456 is unaffected, as are menu choices other track 450, other race 452, information 454, and account 456. Box 468 (which contains odds) and box 472 (which contains racing video 470) are also unchanged from step 448 (FIG. 31) to step 476 (FIG. 31). An advantage of providing screens that do not change excessively from step to step is that the user is less likely to be confused, and can find menu options more readily with this approach.

The user selects a bet type such as a win bet by moving highlighted portion 480 to the win bet and selecting it, e.g., by entering the appropriate command with user input interface 420 (FIG. 30).

After selecting the bet type at step 476 of FIG. 31, the user is presented with a runner selection menu at step 482. A suitable screen format for the runner menu is given by screen

484 in FIG. 38. Having selected the number of runners either required or allowed for the selected bet type, the system proceeds to step 486, at which the user is presented with the menu options place wager 488, another amount 490, and cancel 492 in addition to the menu choices 450, 452, 454, and 456 listed at the bottom of screen 494 in FIG. 39. Also displayed on screen 494 are wager number 496, wager amount 498, bet type 500 for the wager selected in steps 448, 476, and 482.

If the option place wager 488 is selected, wager transaction data corresponding to the selected wager is transmitted from user terminal 370 (FIG. 29) to wagering data management facility 380 (FIG. 29) at step 510 (FIG. 31).

Following a brief screen in which the user is alerted that the wagering transaction is being sent (e.g., with the message "sending wager"), a confirmatory message, such as message 504 is displayed on screen 506, as shown in FIG. 40. Preferably, as the simulcast of the selected race approaches post time, the screen format assumes the larger, nearly full-screensize of screen 506. The racing video is shown in the central portion of screen 506. A relatively small portion 508 of the screen 506 is used to display the selected bet amount, bet type, and runner(s).

If the user selects another amount 490 (FIG. 39) at step 486 of FIG. 31, then the user can select a new bet amount at step 512 (using a menu such as screen 458 of FIG. 36). Selecting cancel 492 (FIG. 39) returns the user to step 448.

The results of selecting one of the "menu choices" (other track, other race, information, or account) from step 448, 476, 482, or 486, are shown in FIG. 32. If "other track" is selected at step 514, then the user is presented with the menu choices "track" and "menu choice" at step 516. A suitable menu format for selecting a new track is a format such as used for screen 518 in FIG. 41. If a "menu choice" is made, the user returns to step 514.

If "account" is selected by the user at step 514, the user is presented with a menu such as screen 520 of FIG. 42, which prompts the user to enter his personal identification code. The user enters the personal identification code at step 522 (FIG. 32) with user input interface 420 (FIG. 30). During the process of entering the personal identification code, boxes 521 change color to indicate when each code element (e.g. digit) is entered. After the personal identification code has been entered, screen 524 is displayed, as shown in FIG. 43. In screen 524, the user's account balance 526 is shown (as obtained, e.g., from the wagering data management facility 380 of FIG. 29). Also displayed is a menu of fund transfer amounts 528. At step 530 (FIG. 32) the user selects the desired amount of funds to transfer from bank facility 412 (FIG. 29) to his account at wagering data management facility 380 (FIG. 29) by highlighting menu option transfer funds 532 (FIG. 43). Following this selection, a confirmatory message, such as "bank transfer" is displayed. Account balance 526 is updated to reflect the new balance, once the transfer is complete.

If the menu option "information" is selected at step 514 in FIG. 32, the user is given the opportunity to select from the menu options "racing information," "other," and "menu choice" at step 534. If "racing information" is selected, then the user is presented with a list of menu options at step 536. A suitable menu format for displaying the step 536 menu options is screen 538 (FIG. 44), which allows the user to highlight the desired menu option. Four options are listed in the information category portion of screen 538 (FIG. 44). To see additional listings, the user cursors down or up to scroll or page through the listing.

If the option "late changes/overweights" is selected at step 536 of FIG. 32, then a list of late changes and overweights is displayed at step 538. Scratches are displayed at step 540, when "scratches" is the selected menu option. At step 542, weather information is displayed when that option is selected at step 536. Racing highlights are displayed at step 544 if "highlights" is selected at step 536. Odds are displayed at step 546 if the menu option selected at step 536 is "odds." In addition, scratches are preferably noted on the screens that contain runner numbers (e.g., by the notation "scratch" adjacent to the appropriate runner number). Odds may be displayed using the traditional fractional format (e.g., $\frac{5}{2}$) or may be displayed using a percentile format (e.g., 5.0%), as shown in FIG. 45.

Another category of racing information that may be viewed is handicapping information. To view handicapping information, the user selects "handicapping" at step 536. Making the selection "handicapping" moves the user to step 548 in FIG. 33, at which the user chooses between viewing handicapping data and creating a personal power rating. If the user selects "view handicapping data," various handicapping data screens are displayed, showing, for example, snapshot power ratings, speed/class ratings, pace ratings, and jockey/trainer information at step 550.

If "personal power rating" is selected at step 548 (FIG. 33), the user is presented with an opportunity to create his own personal power rating, by entering weights for various handicapping categories. As shown in FIG. 46, a menu of options is preferably displayed using a screen format such as used for screen 552. Handicapping categories include, but are not limited to, speed 554, breeding 556, in-the-money 558, and track condition 560. The current odds (e.g., the win odds) for each runner may also be included as a handicapping category, if desired. Weights are entered by moving a highlighted portion of screen 552 to the desired weight and selecting the highlighted weight with user input interface 420 (FIG. 30). The desired weight for the speed category is selected at step 562 (FIG. 33). The weights for breeding, in-the-money and track condition are entered at steps 564, 566, and 568 (FIG. 33), respectively. The weights chosen on screen 552 of FIG. 46 are: speed 4, breeding 2, in-the-money 5, and track condition 3.

After all weights have been entered, the personal power ratings are displayed at step 570 (FIG. 33). Any suitable display format may be used to display the ratings. For example, the ratings may be displayed numerically, using a bar graph, a pie chart or other graphical display. As shown in FIG. 47, one suitable display is horizontal graph 572. Runners are listed numerically on the left side of graph 572. The corresponding results of the personal power rating selections made in steps 562, 564, 566, and 568 (FIG. 33) are shown numerically on the right side of graph 572. Also shown—in the center of graph 572—are runner icons 574, each horizontally located at a distance from the left edge of graph 572 that is representative of the numerical personal power rating result. After the personal power ratings are displayed at step 570, the system returns to step 548 (when instructed by the user).

User terminal 370 (FIG. 30) performs the calculations necessary to determine the personal power ratings based on the racing data received from racing data interface 372 (FIG. 29) and the selected personal power rating weights. Any suitable method of calculating the power ratings may be used, such as multiplying the weights by a numerical value representative of the runner's strength in the respective categories. For example, in the speed category, the weight of 4 selected in FIG. 46 could be multiplied by the runner's

percentile ranking in average speed in its most recent races. Alternatively, a predetermined speed power rating could be used. Although screen 552 (FIG. 46) depicts four personal power rating categories, any number of categories may be used, limited only by the amount of statistical racing data available from racing data interface 372 (FIG. 29).

Returning to FIG. 32, if the menu option "other" is selected at step 534, then the user is presented with menu options "racing simulcast schedule," "miscellaneous advertising," "help," and "questionnaire" at step 576. A schedule of which races are being video-simulcast is displayed if "racing simulcast schedule" is selected. Preferably, a user can select from the displayed list of simulcast races. When a particular race is selected from those displayed at step 576, user terminal 122 (FIG. 29) returns the user to step 448 at FIG. 31, where the user is provided with an opportunity to place a wager on the selected race.

If "miscellaneous advertising" is selected at step 576, advertising information is displayed. Help information is displayed if "help" is selected. Because user terminal 370 (FIG. 30) is capable of handling video signals, the advertising information that is provided at step 576 can contain video clips in addition to text information. For example, racing data interface 372 (FIG. 29), racing video source 374 (FIG. 29) or other suitable advertising source may transmit compressed video clips to user terminal 370 of FIG. 30, where they are stored on local mass storage device 578 (FIG. 3) (e.g., a hard disk drive). When advertising, help, or any other information is selected that would benefit from a video presentation, the compressed video signal stored on local mass storage device 578 (FIG. 30) is played back using display and processing circuitry 416 (FIG. 30).

Another menu option that may be selected at step 576 (FIG. 32) is "questionnaire." When this selection is made, user terminals 122 provide an interactive questionnaire on the monitor 378, to which the user may respond, if interested. A typical use for such questionnaires would be to facilitate user feedback. For example, questionnaires may be provided that ask the user which particular services of wagering system 366 (FIG. 1) are of greatest interest, etc. When the questionnaire is completed, the results of the questionnaires may be transmitted to subscriber facility 400 (FIG. 29) using transaction data communications circuitry 422 (FIG. 30.) and communication line 402 (FIG. 29).

As described above, a "menu choice" option at step 514 (FIG. 32) is "other track." The selection of another racetrack is illustrated in FIG. 48, in which the racetrack Hollywood Park has been selected. When a new racetrack is selected, the previously selected racetrack 460 (e.g., Churchill Downs in FIG. 36) is replaced with the currently selected racetrack 580. In addition, the currently selected race 582 is automatically updated to reflect the next currently scheduled race to be run at the currently selected racetrack. As shown in FIG. 48, the next race scheduled at Hollywood Park is race 3. The time until post 584 is also automatically updated upon entering the screen 586 to correspond to the next currently scheduled race. Also automatically updated are odds 590 and racing video 592.

If it is desired to change to another race from a screen such as screen 586, which displays the menu choices "other track," "other race," "information," and "account," the user highlights portion 594 of screen 586 corresponding to menu option "other race" at step 514 (FIG. 32). Selecting "other race" at step 514 (FIG. 32) takes the user to step 596 in FIG. 34. A suitable screen for displaying the menu options available at step 596 is screen 598, shown in FIG. 49.

As shown in FIG. 49, a number of viewing options are presented for each race, such as "results," "alert," and "tape/VCR." For races that have been run, the appropriate option is "results," which allows a user to watch an earlier race. If the user selects "results" at step 596 of FIG. 34, the user is presented with the menu option "watch the race" at step 600. A suitable screen for presenting this option to the user is screen 602 of FIG. 50. If the user decides to watch the race and makes the menu selection "watch the race" at step 600 (FIG. 34), a video of the race is displayed at step 602 (FIG. 34) and, if desired, the user may be billed a transaction fee for making this selection. Transaction fees may be levied using any suitable technique. For example, user terminal 370 can maintain a running log of transaction fees charged the user for making selections such as "watch the race," etc. Periodically, this log may be transferred to subscriber facility 400, which compiles a bill for the user, or which debits the user's account (at bank 412 or wagering data management facility 380). The user may also be charged transaction fees for each wager placed at wagering data management facility 380. This type of transaction fee is preferably levied at the time at which the wager is placed, e.g., by debiting the user's account (at wagering data management facility 380 or bank 412) by the transaction fee in addition to the wager amount.

In order to allow the user to watch the results of previously run races, video clips of the races must be stored in a suitable facility and delivered to the user on demand. A variety of arrangements for accomplishing this task are possible. For example, as shown in FIG. 29, a user may place an order for a race video from user terminal 370 via communication line 390. The order is received by transaction data interface 394, which transmits the order and any necessary account verification information to wagering data management system 380. Race video order information can be transmitted to video and data distribution system 368 from wagering data management facility 380 via communication link 398. If it is desired to impose a charge for ordering videos of race results, wagering data management system 380 can debit the user's account accordingly when the order is received.

Video and data distribution system 368 can contain a high capacity storage medium, suitable for recording races as they are received from racing video source 374. In order to minimize the amount of storage necessary in video and data distribution system, it may be desired to record only the video of the race, and not any race previews. It may also be desired to digitally compress the videos.

Various approaches may be used for delivering the race videos that are stored at video and data distribution system 368 to user terminal 370. For example, the sideband or other portion of the bandwidth used by the wagering system 366 to deliver racing data to user terminals 370 may be sufficiently large to support the delivery of compressed video clips in addition to the racing data. If a compressed video clip contains encoded information, only authorized users who selected to watch the race results video will receive that video clip. A similar approach is to send the requested video information over an available video channel to authorized users. A pay-per-view cable channel is also a suitable pathway for providing racing videos to user terminal 370.

Regardless of how user terminal 370 receives the requested prerecorded race video clip, at step 602 (FIG. 34), user terminal 370 displays the video on monitor 378. If necessary, user terminal 370 decompresses any compressed video information.

Different options are available for races that have not yet been run. For example, the user can select "alert" at step 596

(FIG. 34) to be alerted (e.g., by an audible tone and/or a visual prompt on the display screen) that the race is about to be run. If alert is selected at step 596 (FIG. 34), user terminal 370 (FIG. 30) triggers an alarm and displays the race video when appropriate at step 604 (FIG. 34). The user can also select "tape/VCR" at step 596 (FIG. 34). If "tape/VCR" is selected at step 596 (FIG. 34), at step 606 (FIG. 34) user terminal 370 (FIG. 30) programs video recorder 424 (FIG. 30) with the appropriate recording information or actuates video recorder 424 (FIG. 30) at the time of the selected race. Thus, selecting "tape/VCR" allows the selected race to be recorded. When desired, the user can review the race videos recorded by video recorder 424 (FIG. 30). If video recorder 424 (FIG. 30) is capable of transmitting data such as indexing data to user terminal 370 (FIG. 30), user terminal 370 (FIG. 30) can coordinate the playback of race videos.

Any suitable display can be used to present the user with the menu options of step 596 (FIG. 34). In the example of screen 598, the options available for each race appear in bold type, whereas unavailable options appear only faintly. For example, race 1 and race 2 have already been run. Accordingly, results 608 and 610 appear in bold type. Races 3 and 4 have not yet been run so alerts 612 and 614 and tape/VCR 616 and 618 appear in bold.

One skilled in the art will appreciate that the present invention may be practiced by other than the described embodiments, which are presented for purposes of illustration and not of limitation, and the present invention is limited only by the claims that follow.

What is claimed is:

1. A method for interactive wagering on races with a user terminal that is remote from any racetrack, comprising:

allowing a user at the user terminal to access racing data over a communications path on races that have not been run and for which wagers may be placed;

using the user terminal to allow the user to electronically manipulate the racing data to evaluate the possible outcome of a given race that has not been run; and

allowing the user to place a wager with the user terminal on the given race that has not been run.

2. The method defined in claim 1 further comprising using the user terminal to allow the user to evaluate the possible winner of the given race by electronically manipulating the racing data.

3. The method defined in claim 1 further comprising using the user terminal to allow the user to enter weights that are applied to the racing data when the user electronically manipulates the racing data to evaluate the possible outcome of the race.

4. The method defined in claim 1 further comprising using the user terminal to present the user with an opportunity to create a personal power rating for runners in the given one of the races that has not been run.

5. The method defined in claim 4 further comprising displaying the personal power ratings numerically.

6. The method defined in claim 4 further comprising displaying the personal power ratings in a graph.

7. The method defined in claim 1 wherein the accessed racing data is displayed on a monitor connected to the user terminal.

8. The method defined in claim 1 wherein the electronically manipulated racing data is displayed on a monitor connected to the user terminal.

9. The method defined in claim 8 wherein the monitor is a television set having a tuner for tuning to a desired television channel.

29

10. The method defined in claim 1 wherein the racing data includes handicapping data.

11. The method defined in claim 1 further comprising displaying a video of the given race using the user terminal.

12. The method defined in claim 1 wherein at least two of the races that have not been run are from separate racetracks.

13. The method defined in claim 1 further comprising displaying a menu that allows the user to enter or select weights assigned to the racing data.

14. The method defined in claim 13 wherein the menu allows the user to enter or select a weight assigned to track conditions.

15. The method defined in claim 13 wherein the menu allows the user to enter or select a weight assigned to in-the-money.

16. The method defined in claim 13 further comprising using the user terminal to calculate a personal power rating based on the assigned weights to evaluate the possible outcome of the given race.

17. The method defined in claim 1 further comprising using the user terminal to display a simulcast schedule of races.

18. An off-track wagering system for interactively wagering on races that is remote from any racetrack, comprising:

a user terminal for allowing a user to access racing data on races that have not been run and for which wagers may be placed, wherein the user is allowed to electronically manipulate the racing data with the user terminal to evaluate a possible outcome of a given race that has not been run, and wherein the user terminal allows a user to place a wager on the given race that has not been run; and

a video and data distribution facility for providing the racing data to the user terminal.

19. The system defined in claim 18 wherein the accessed data on races is displayed on a monitor connected to the user terminal.

20. The system defined in claim 19 wherein the monitor is a television set having a tuner for tuning to a desired television channel.

21. The system defined in claim 18 further comprising a processor in the user terminal for manipulating the racing data.

22. The system defined in claim 18 wherein the user terminal allows the user to enter or select weights that are applied to the racing data when the racing data is electronically manipulated.

23. The system defined in claim 18 wherein the user terminal is used to display a video of the given race.

30

24. The system defined in claim 18 wherein the video and data distribution facility is a satellite broadcast facility.

25. The system defined in claim 18 wherein the video and data distribution facility is a cable headend facility.

26. The system defined in claim 18 further comprising a telephone network for transmitting and receiving transaction data related to a wager.

27. The system defined in claim 18 wherein the video and data distribution facility is configured to provide racing videos to the user terminal.

28. The system defined in claim 27 wherein the user terminal is configured to display the racing videos to the user.

29. A user terminal for use in a user's home that allows the user to place a wager on a race that has not been run, comprising:

a receiver that receives racing data; and

a processor that presents an interactive wagering interface on a monitor, wherein the interactive wagering interface allows the user to place wagers and allows the user to electronically manipulate the racing data to evaluate the possible outcome of a given race.

30. The user terminal defined in claim 29 further comprising memory for storing the racing data.

31. The user terminal defined in claim 29 wherein the interactive wagering interface allows the user to electronically manipulate the racing data to evaluate the possible winner of the given race.

32. The user terminal defined in claim 29 wherein the interactive wagering interface allows the user to enter or select weights that are applied to the racing data when the racing data is electronically manipulated.

33. The user terminal defined in claim 29 wherein the interactive wagering interface allows the user to electronically manipulate the racing data to create a personal power rating for runners in the given race.

34. The user terminal defined in claim 33 wherein the interactive wagering interface displays the personal power ratings numerically.

35. The user terminal defined in claim 33 wherein the interactive wagering interface displays the personal power ratings in a graphs.

36. The user terminal defined in claim 29 wherein the receiver receives racing videos and wherein the processor displays the racing videos on the monitor.

* * * * *

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,099,409
DATED : August 8, 2000
INVENTOR(S) : Mark A. Brenner et al.

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title page.

Item [56], **References Cited**, FOREIGN PATENT DOCUMENTS, "2 229 565" should read as -- 2 229 565 A -- and "2 300 535" should read as -- 2 300 535 A --.
OTHER PUBLICATIONS, "Auto Tote" should read as -- Autotote --.

Column 1.

Line 65, remove "of the";

Column 5.

Line 41, change "show" to -- shown --;

Column 7.

Line 56, insert -- , -- after "wager";

Column 8.

Line 54, change "personnel" to -- personal --;

Column 20.

Line 25, insert -- , -- after "videos";

Column 22.

Line 59, change "park" to -- Park --;

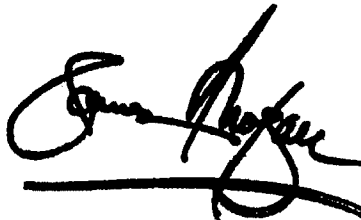
Column 24.

Line 20, change "screensize" to -- screen size --.

Signed and Sealed this

Twenty-sixth Day of November, 2002

Attest:



Attesting Officer

JAMES E. ROGAN
Director of the United States Patent and Trademark Office

(x) Related Proceedings Appendix

None.